

The Nation.

NEW YORK, THURSDAY, APRIL 10, 1873.

The Week.

THE facts, so far as they have been developed, with regard to the loss of the *Atlantic* on Meagher's Rock, are these: The vessel left England insufficiently coaled and insufficiently provisioned. On the 31st of last month, when she was 460 miles from New York, there were, according to Captain Williams's statement, only 127 tons of coal and barely two days' provisions left, and the captain, considering that the "risk was too great," determined to run into Halifax. The position of the *Atlantic* was got by "observation and chronometer," and at twelve o'clock midnight was reckoned to be 48 miles off Sambro Light, at the entrance of the harbor, the light bearing almost due north. The speed was then about 12 knots per hour. Captain Williams had never brought a ship into Halifax, and knew nothing about the coast except what is known to every one, that it is perhaps the most dangerous in the world; the third officer had been in the harbor twice; none of the other officers had ever been there. It will be seen that, going 12 knots an hour, the vessel was rapidly nearing the coast; she was already "within soundings." Under these circumstances, the captain, at 12.40, went to bed (no soundings having been made), with orders that he should be called at three o'clock, relying on the clearness of the night, and the certainty of Sambro Light being seen, and intending on getting near the coast to lay to. As a matter of fact, he was utterly mistaken either as to position or else direction, for he was carried miles to the westward of Sambro Light, and driven right on to the coast. At three o'clock the vessel struck. Captain Williams admits that had he taken soundings the loss would not have occurred. Some of the newspapers find fault with the construction of the vessel, and maintain that she was too long for her width, and that if she had been properly constructed she would have "held her own" when she got on Meagher's Rock. Captain Williams, however, whose interest it certainly is to find fault with her construction if it is any one's, says nothing of the kind; and it should be remembered that the *Atlantic* was built for a sea-going vessel, and not for a rock boat.

That Captain Williams was perfectly sober at the time of the wreck, and that he did all in his power to save life, seems to be established, but there are some facts connected with his previous career which have been thus far covered up, but which ought to be stated, as they have a very direct bearing on the culpability of his employers—the White Star Line. Captain Williams was formerly on the Williams and Guion line, and while in the employ of that company so thoroughly disgraced himself by drunkenness that, on the representations of one of the passengers who crossed the ocean in a vessel of which he was in command (he having been helplessly drunk all the way over), he was removed or allowed to resign. This is the real truth of the story that his dismissal was "owing to a difficulty with some of the passengers." The Williams and Guion officials then gave him a letter of recommendation, on the strength of which he got a command from the White Star Line. This makes the shameful story complete. One company dismisses a man for beastly drunkenness; a second company places a thousand lives in his keeping on the strength of a recommendation from the first company. To save a little money, the vessel is insufficiently coaled; and to supply her, she is taken directly on to an unknown and frightfully dangerous coast, the man in charge going to bed while she is running on. It would be worth while knowing what excuse the White Star Line can give for employing an officer dismissed for any reason whatever by another company.

The recent Rhode Island election is hardly worth speaking of. It was a complicated matter, with many interests and issues involved, but all of them local. The Republican candidate for Lieutenant-Governor was beaten, there being a temperance candidate in the field, and no choice by the people. It was thought the presence of a temperance candidate in Connecticut might also have had some effect even upon the choice for the governorship, and it had some, but, as it seems, not very much—prohibition still being a highly fancy stock in State politics, and used mostly in illegitimate operations. More important seems to have been the dissensions among important politicians, which cut down the Republican vote for Mr. Haven in New Haven City by just about the majority which it is now asserted—without corrected returns, however—that Mr. Ingersoll, the Democratic candidate, has obtained. It is said that the Democrats have also carried the House, while the Republicans control the Senate. The chief contest was in the Congressional districts, which stand as before—Mr. Hawley's majority running well up to 1,300 apparently, against 633 last year, when he was elected over Mr. W. W. Eaton, a tried wheel-horse of the strictest Connecticut Democracy. The increase of his majority will be generally looked upon as caused by his anti-back-pay and anti-corruption attitude in the last House, where, although a new member, he was an old enough politician, and near enough to the inner priesthood, to be allowed to make a great deal of noise. On the whole, then, the election is of no particular significance, except as showing that "the people" are not yet up in arms, and that "every man round us may rob as he please," as the song (prematurely) said on the occasion of Mr. Blueskin's cutting the throat of Mr. Jonathan Wild.

When by limitation of time New Jersey became free from the power ignorantly granted to the railroads in the days when little of the future of the new invention could be foreseen, it was hoped that she might become wholly free. The New Jersey Transportation Company and the Camden and Amboy were, however, too much for the efforts of the State, and since the beginning of 1867, when the alliance between these two powers became firm, the two companies have been as strong at Trenton as ever; and to think of the amount of money paid out for their strength is no consolation when we reflect on the persons to whom it was paid, and the lessons it has taught. The last Legislature, however, has secured the gratitude of the country by passing a general railroad law, very good in principle—whatever its working may be in the face of its bitter and able enemies—a law whose passage is a proof of the inherent honesty of the Jerseyman. Their surface history, hampered as they have been by their contract with the companies, and afterwards exposed as they have been to some of the wealthiest corruptors in the world, may seem to indicate something very different from inherent honesty. And an obstinacy, almost of conservatism, has caused the Jersey community in general to fall into the bad graces of some of us; but whoever knows the people of the State, knows that the most conspicuous part of their past history badly represents them, and that the ordinary Jerseyman is as honest a man as can be found anywhere. With rare exceptions, we surmise, other American communities that have sneered for so many years at Jersey may probably look at home.

The Illinois farmers met yesterday week in a convention that must have formed an animated contrast to the regular cut-and-dried American convention, as known to the last thirty or forty years of our politics. Nearly three hundred farmers were present from almost three-quarters of the counties of the State, and these delegates are said to represent about one hundred thousand Illinois electors, and to have been mostly Republicans in politics. A vote to invite Gov. Beveridge to address the convention failed to pass when first offered, but on a reconsideration was got through, in spite of "much opposition" and many voices in the negative, and the governor made a

speech, in which he began by saying that he "recognized the fact that the producing interest in all lands, especially in this Prairie State, the richest country on God's green earth, was the grandest and noblest interest asking for our protection, our fostering, and our care (applause)." The Governor admitted, also, that the railroad companies had been extortionate, and thought it must be admitted that other interests as well as those of the farming classes had suffered. But just how this was to be remedied it might not be so easy to say; all the evil could not be remedied that afternoon, nor that year probably, and perhaps not for five years or twenty-five. He had appointed a good railroad commission, all of the commissioners being farmers who meant work, and intended that the railroads should be the creations of the people's representatives and obey the popular will. An amendment of the Constitution of the United States might be necessary, but it would be easy to get if the farmers showed persistency, and it would at once and for ever abrogate the famous "Dartmouth College decision"—secured by Daniel Webster, Jeremiah Mason, and Jeremiah Smith, pleading before Chief-Justice Marshall against William Wirt, William Pinckney, and John Holmes, in behalf of the college corporation and against the New Hampshire Legislature, which had set aside the college charter. The farmers were at first angry enough to forget all the legal bearings of the work they have gone at with so much zest; but before they got together in convention, they seem to have settled into a fair degree of coolness, and to mean business very distinctly. Their "granges," so called, or anti-monopoly clubs, are now to be found in Illinois, Iowa—where the movement began, and where they are said to have fifty thousand men enrolled—Kansas, Indiana, Michigan, and Wisconsin.

After Governor Beveridge's speech, General John M. Palmer made a speech a good deal less conservative than the official's, and which had for its most important point the suggestion that railroad stocks should be taken by law out of the category of personal property, and thus "withdrawn from speculation." After these preliminaries, and while the Committee on Resolutions were making ready to report, a resolution was offered and adopted which "emphatically placed the seal of our condemnation" upon the increase of the congressional salaries and the securing for each of the senators and representatives "a bonus of \$5,000 for services already rendered." The President was also censured by the convention, and we observe that a resolution the same in substance was at the time pending in the Illinois House and Senate. The real business of the convention then began to come on in the reading of the resolutions, which were no less than eighteen in number, and very thoroughgoing; after which adjournment till evening was voted. The evening session was at first confused and noisy, the firebrand being the free-trade resolution calling for the "repeal of the protective duties on iron, steel, lumber, and other materials which enter into the construction of railroad cars, steamships, agricultural implements," etc. It is stated by one correspondent—who represented an entirely free-trade journal—that "a Radical ring," consisting of "Mr. A. B. Meagher, of the National Protective Association, Mr. J. C. Seanlan, of the Irish Industrial League, Mr. John Harper, United States Collector, and Judge Bradwell, the Republican leader in the House," was formed to prevent the farmers from saying anything upon the tariff question, and confine them to attacking the railroads. The resolution passed, however, in spite of interruptions and disturbances of a most unseemly character, due to the late arrival of the elected officers of the convention.

The substance of the principal resolutions is as follows: The railroad companies of the world, wherever governments have not controlled them, have proved themselves as extortionate and opposed to free institutions as the robber-barons of the Middle Ages; their despotism shall be subverted and destroyed; the State, in the convention's belief, did not and could not so far part with its sovereignty as ever to create a corporation that could not thenceforth be controlled by its creator;

the railroad corporations (representing in Illinois \$250,000,000 of money in the hands of a few men, and representing in the whole country \$4,000,000,000) are to be viewed with alarm; the General Assembly must pass laws "fixing reasonable rates for freight and passengers"; the present statute providing for the "classification" of railroads, so as to adjust the tariff of charges according to gross amount of earnings, is a "delusion and a snare," for the roads classify themselves as they please; a bill should be passed which, "recognizing the principle that railroads are public highways," shall compel the companies to make "actual connections" between roads that meet and cross each other; the Legislature should pass a law making it a misdemeanor for a legislator to travel on a free pass from a company; whereas the Constitution of 1848 forbade special charters (except for municipal purposes), it is extremely doubtful whether all Illinois railroad charters granted since 1848 are not invalid; and whereas the Constitution of 1870 forbade the watering of stock, and whereas nearly every railroad in the State has since then issued watered stock, it is the duty of the Railroad Commissioners to institute proceedings against the companies. Of these resolutions all passed without material alteration, as well as the tariff resolution of which we have spoken, and the convention laid on the table a resolution declaring it the duty of the National Government to improve the Illinois River, an affluent of the Mississippi, which waters Central and Western Illinois for a distance of about 500 miles, and is navigable with good luck and sufficiently small craft for about half its length. The farmers were, however, bent on having railroads, and no proposition looking to old-fashioned internal improvements had any chance with them.

"Under instructions of the Secretary of the Treasury, Mr. E. O. Graves, of the Civil-Service Board, went South in the middle of last week, accompanied by Mr. S. I. J. Kimball, of the Revenue Marine Bureau, to visit the principal Southern Custom-houses and sub-treasuries, and to put in operation the civil-service rules, which will be substantially the same as those at the New York Custom-house. Mr. Kimball goes also in connection with the Life-Saving Service, but Mr. Graves goes with special reference to putting the public service on a civil-service footing. The examination of the 565 applicants for the 40 vacancies in the Treasury was concluded yesterday, and it will be two or three weeks before the result can be written up and tabulated. The candidates for each day who came up to an average of 80 are not more than ten per cent. of each day's list." This we give as semi-official, and the latest news that we have anywhere seen concerning this greatest modern source of interminable and flatly contradicting assertions. From the same authority we quote these further facts, which we leave our readers who know Mr. Collector Arthur and his friends to reconcile as may best be done. "Mr. Curtis alone"—it is about Mr. Curtis's resignation that the correspondent is writing—"warmly espoused the promotion of Mr. Benedict because it would be a conspicuous thrust at the politicians." Except by Mr. Curtis, the promotion was not urged, strange to say; "but the President responded to Mr. Curtis's appeal, and appointed Mr. Benedict." Upon this, "the Senate laid the resolution on the table, and to save it from rejection it was withdrawn." In other words, the Senate would have its way, for whatever reason.

Mr. Albert S. Stickney, who gave signal proof of his ability as an investigator in the Barnard impeachment case, was wisely selected some time ago by the Erie Investigating Committee to conduct their examination for them, and the result has been "astonishing developments." The committee has now had before it an array of swindlers, thieves, "corruptionists," lobbyists, bribers, operators, and other habitual criminals such as probably were never before in the history of the world subpœnaed in any one matter. The testimony lately taken has referred chiefly to the sums of money paid out of the Erie Treasury at one time and another to the various members of this crew. To James Fisk, for instance, one item of \$3,000 appears to have been paid for "carriage hire and services";

Tweed received \$50,000 for the coal which he distributed in charity to the poor of his district. James Fisk's total "expenses" from March to December, 1868, were \$171,400 43. Jay Gould's "legal and incidental expenses" for 1868 were \$432,000. Peter B. Sweeny received for "legal expenses" in 1868, \$150,000. William M. Tweed, for legal services, received \$135,000 altogether; and H. D. Barbour and A. Van Vechten got some of the plunder. These two worthies are professional bribers, and they have testified with much solemnity that they have no recollection as to the nature of the services for which they received the money. Mr. Watson, the new president of the Company, testifies that, after he came into office, he was approached by a number of influential gentlemen, who signified to him, by "nods and shrugs," that, unless he was prepared to "divide," he might as well give up all hope of carrying on the Erie Railroad. He says that they did not make any request for money, and that he cannot, not being himself a master of pantomime, give the committee any idea of the manner in which they expressed themselves; but they made it very clear to his own mind, and he told them in reply that if he expended any money on them at all, it would be in having them incarcerated in the Penitentiary, and on hearing this their interest in Erie reform suddenly ceased. The most atrocious case in the whole list, however, is that of General Sickles, who, having been sent to Spain to represent the United States, requests and obtains a leave of absence, that he may come home and assist a gang of speculators in obtaining possession of a road by bribing a number of the directors. He comes over, gets an order from Washington which is so outrageous that no one is bold enough to use it, swindles everybody, including his employers in the reform movement, and returns to Spain in triumph to represent his country once more.

The Government, it is announced, has selected the Brazilian, Sardinian, and Swiss arbitrators as the recipients of two magnificent silver wine-coolers and a punch-bowl apiece, wrought by Messrs. Tiffany & Co., and given to Count Itajuba, Count Sclopis, and Mr. Staempfli, in recognition of their labors. Mr. Adams gets none, and neither does Chief-Justice Cockburn. As for these gentlemen, the Government appears to have regarded Mr. Adams, and to suppose the British Government to have regarded the Chief-Justice, not as judicial officers sitting to arbitrate, but as a pair of counsellors who were to pull against each other like two advocates, and each extort what he could from his three impartial associates. This, we suppose, is not the view of his duties that was taken by Mr. Adams; but it affords a reasonable explanation of our Government's latest action in the premises. And if the winner in a legal contest behaves with propriety when he makes presents to the judges who have given him a decree, it is perhaps as good a way of disposing of the matter as any. We cannot think, however, but that the thing would be as well undone, considering the dignity of the tribunal, the pleaders, and the cause.

In the House of Commons, on Monday evening, Mr. Lowe presented his budget. The statement shows a reduction of the national debt for the past year of £6,861,000 (\$34,305,000); the actual revenue having been in excess of the estimated revenues by £5,762,775 (\$28,813,875). The total debt is £785,800,000 (\$3,929,000,000). The Government proposes, in view of this exhibit, which was received by the House with marked expressions of approval, to pay half the *Alabama* claims award out of the revenues of the present year, without increasing taxation; to take off 50 per cent. from the duty on sugar, and a penny in the pound from the income tax. This would make the estimated expenditures, for the year ending March 31, 1874, £73,471,000 (\$367,355,000), and the revenue £73,762,000 (\$368,810,000).

Count Bismarck made a remarkable speech in the Prussian House of Lords on the 10th of March, in favor of changing Articles 15 and 18 of the Constitution, which regulate the relations of the state and the Catholic Church. Like Professor Virchow, he in-

sisted on the historical continuity between the present struggle in Germany and the old conflict of Guelphs and Ghibellines, and, in fact, that conflict of power far more ancient than the coming of Christ, and as old as the human species itself—namely, between royalty and the priesthood. It was, he said, a falsification of the issue to call that a clerical question which grew out of an attempt to subject the secular to the religious authority—an eminently political purpose. The present Papal pretensions have been those of priestcraft since the world began, there having always been priests (titled or untitled) "who declared that they knew the will of God more exactly than their neighbor, and, on the strength of this affirmation, claimed the right to command him." The wars of the Papacy against kings and emperors have had all the characteristics of other political contention: there have been treaties of peace, seasons of pause, and armistices. Some popes have been bellicose and conquering, others peaceful; cardinal prime-ministers of Catholic powers have pursued a violent anti-papal policy, bishops have sided with the emperors of Austria against the interests of the Pope. The question, therefore, is not of the persecution of the church but the defence of the state—the limitation of the powers of the priests and of the king respectively, and in such a way that the state can subsist within the limits laid down.

Since 1848 there has been an armistice between Prussia and the Papacy, as the articles of the constitution under discussion testify. These were framed at a time when the restoration of civil order seemed to depend upon the Catholic rather than upon the Evangelical population, and they would probably have remained undisturbed even now but for the behavior of the Clerical party in the Prussian Landtag. At a time during the Franco-German war when the attitude of the Italians made the Prussian Government by no means disposed to lean to their side in the controversy with Pius IX., the king and his ministers at Versailles were surprised by the formation of a party of the Centre, consisting of the Catholic members of parliament, whose aim was to act in concert for the insertion in the Constitution of the Empire of the very articles of the Prussian Constitution touching the relations of church and state. To this, Bismarck says, he attached little importance, till, on his return from the seat of war, he observed what a powerful organization this party had attained, and how, on the one hand fostering anti-German tendencies in the Polish provinces, and on the other ordering at pleasure the election of obscure and subservient deputies, it strove to supplant the Empire as it now exists with two political organisms working side by side—"one having its staff-officers in the party of the Centre, the other in the directing secular principle embodied in the government and person of the Emperor." This dualism was not to be tolerated, and the Government had been compelled to denounce the armistice of 1848, and establish a new *modus vivendi* between the secular and clerical authorities.

We have thought this abstract worth making not only as a part of the news of the day, but because the situation in Germany as described by Count Bismarck presents such a striking analogy with that in which our own country found itself before the rebellion. We had here exactly that dualism which he justly deprecates, resulting from the armistice between slavery and freedom admitted into the constitution of 1788—an aggressive pro-slavery party of the Centre violently resisting the logical development of our republican principles, dictating who should be candidates for Congress, and elevating the obscurest doughface to the presidency. All the while we listened to complaints of wanton assaults on the divine institution, of intermeddling and "persecution," from the party of mobs and lynch law, until, being no longer able to maintain its staff-officers in Congress, it transferred them to the field of battle, and, still entreating to be "let alone," began at Fort Sumter the attack which ended in the abolition of slavery and of political dualism on this continent.

THE SURRENDER OF CIVIL-SERVICE REFORM.

IT is one of the inexplicable phenomena in the life of General Grant, that while, in adverse circumstances, he has repeatedly shown a firmness of character, and especially a tenacity of purpose verging on obstinacy, on the other hand, in very easy circumstances, when almost all obstacles have been overcome, and all opposition has well-nigh ceased, he has shown a weakness, an indecision, a fatal facility for yielding, that we ought to expect only in a very much inferior man. If the master of a vessel, through a prolonged tempest, and indeed through many storms and tempests, should be found heroically resisting the threats and persuasions of his crew, and then, after triumphantly bringing his vessel safely into smooth water, should supinely allow the crew to run away with the ship, his conduct would not be more anomalous than some of the acts of General Grant's life appear. It is unfortunate for him that he deliberately avowed his belief in certain principles looking toward the better government of his country; that they were unpalatable to his political friends and associates, prejudicial, as was supposed, to his immediate political interests, and required an unusual degree of nerve to be carried into operation. It is unfortunate, because these are peculiar conditions of difficulty which General Grant's previous life seemed to assure us he would have been able, of all men, to surmount. That a successful soldier, devoid of all political experience, should not believe in the reform of the civil service, would not have been surprising; that he should have some impracticable hobby of his own which on being tried failed, and was then abandoned, would not have greatly disappointed the people who elected him; but that he should adopt a policy in consonance with the intelligence of the age, and in advance of his political supporters, and should successfully carry it so far into practical operation that his newspaper organs acknowledged it as one of the accomplished reforms of his Administration, and should then yield to the very opposition over which he had triumphed, surprising those who rejected him and disappointing those who had relied upon him, is certainly one of the strange things that nobody but General Grant would do.

Reviewing his surroundings at the particular time when he thus acted, his conduct seems more inexplicable than before. The President had been compelled to meet the opposition of his own friends, and even to endure the sneers and insults of his own political leaders. Mr. Conkling had contemptuously belittled the reform as altogether too ethereal for practical life. Mr. Morton had conjured up a caste of aristocratic office-holders lordling it over the free and humble citizens of the Republic. Mr. Carpenter had flung a resolution of enquiry against it, and sneered at the President's commissioners as "a board of schoolmasters," sitting at the other end of the avenue to determine who should and who should not hold office under the Government of the United States. Against such opposition as this the President had persevered; and he had carried his derided measure of reform into practical operation without the cordial support of a single politician or a single organ of his party. He had also gone through the ordeal of a renomination, and was conceded to have carried his party through the second election, giving it more than he received, and owing it less than it owed to him; and he had reached that independence which so few men have ever obtained—the independence of being no longer eligible for the Presidency. Besides this, the arrogant power in Congress whose interference with the Executive has been the chief cause for civil-service reform, had received a check, occasioned by its own corrupt practices; and no Congress for the last fifty years had expired so much despised by the people or so little to be feared by the President. And then, at that moment, when all opposition seemed to be overcome, and the chief enemies of reform overthrown, General Grant yielded to a pressure which had almost ceased to exist.

At this time of writing, the latest intelligence from Washington authoritatively asserts that, although the civil-service commission is dissolved, the principles which it was intended to establish will be

adhered to, so far as the minor offices are concerned, and indeed that an officer of the Treasury has been sent to put the system into operation in the Southern Custom-houses. But we read in the Administration papers at Washington that the President, having been so audacious as to exercise his own discretion in the matter of an appointment of a postmaster, felt constrained to offer the defrauded member of Congress the following very expressive apology, which, it is needless to add, the Washington organ publishes as something highly creditable to the President's head and heart:

"To the Hon. James A. Garfield:

"EXECUTIVE MANSION, WASHINGTON, D.C., March 18, 1873.

"DEAR GENERAL: In your absence I appointed a lady for postmaster at Ashtabula, Ohio, in your district. It is of a class of appointments I am glad to make, where it can be done—that is, it is giving a soldier's widow an opportunity of supporting herself and orphan children. I hope it will be satisfactory to you and to the citizens of Ashtabula.

"I am, General, very truly yours,

U. S. GRANT."

We are, therefore, constrained to think that if it was necessary for the President of the United States to explain to a member of Congress, on the 18th of March, why he made an appointment of this character, no very hopeful anticipations of his independent action can be indulged in early in April.

The motive which has actuated General Grant is one not easy to understand. If, after two or three years of patient and faithful trial, the President had become satisfied that his system was incapable of accomplishing the desired results, or that it had been carried too far, and applied to officers who might be better selected in another manner, we should be bound to exonerate the President from any improper motive. If, without any such trial, General Grant had adopted the views of Messrs. Morton and Carpenter, and boldly asserted that the system was a mistake, "incompatible with free institutions," and incapable of producing practical results, a very damaging blow would have been struck at the subject of civil-service reform. But up to the latest hour the country had received continued assurances of the success of the new system, with promises of its extended application. The President had not only availed himself of Mr. Curtis's services, but he had allowed Mr. Curtis to speak repeatedly for him, and had accepted the support of that gentleman's powerful influence. It is needless to say that it was an influence that could not have been bought, and that it was powerful because the country knew that Mr. Curtis would never have given it except in the honest belief that the President and himself were fully agreed in the matter which he so earnestly advocated.

We have hitherto spoken of civil-service reform as a fact accomplished, so far as its acceptance in the popular mind was concerned, though by no means a system completed, perfected, or in successful operation. It is now apparent that it is a reform which will require renewed effort on the part of those who believe in it, before it can be considered accomplished. Whether it be continued in the weak and modified manner promised by the Washington despatches, or whether appointments be wholly abandoned to members of Congress and politicians as before, it is equally evident that civil-service reform is no longer having a fair trial. A false trial, as every intelligent man knows, is incomparably more dangerous than none at all. Many a useful measure has been thrown back for a generation by the artful expedient of pretending to try it, and then condemning it for its want of success. Whatever the President's motives may have been, we do not attribute to him any such deceitful purpose. But, however honest his motives were in the past, or will be in the future, civil-service reform is by his management placed in the false position of appearing to be tried when it has in fact been suspended.

Let us here point out a fallacy which has generally been accepted throughout the country. The system which the President has introduced has been termed, and is believed to be, civil-service reform. It is simply competitive examination. Competitive examination is not civil-service reform, but merely a means toward that end. It is possible to have the latter without resorting to the former. Indeed, many civil-service reformers are opposed to competitive examination, and hold that in England it is about to be carried too far, and that it will operate imperfectly in the civil service, and affect injuriously the ge-

neral cause of popular education. Let it be, then, understood that although this experiment of the President's should fail, nothing is proved by the failure; and that if the experiment should be fairly tried and should fail, all that would be proved is that we have resorted to defective means for reaching a most desirable end.

In England, the singular spectacle may now be seen of the opponents of the Administration opposing competitive examinations, and insisting that fitter appointments can be made by their political adversaries than by independent non-political boards. In America, our civil service is in no such plight. It is political, and nothing but political in the worst sense of the term—without system, without merit, and, we may add, in our great cities without decency. However defective competitive examination may be as a system, we accept it for the present as the only system that can raise our degraded service out of the political mire. If the congressional politician had only kept his hands off of it, it would before this have done much to reform itself. Mr. Trumbull was not far from right when he proposed to make it a misdemeanor for a member of Congress to intermeddle with the executive appointments. But such a statute would be disregarded by members of Congress just as statutes against corruption have been disregarded, and Congress is emphatically the branch of the government that the people cannot trust. So long as secretaries surrender their entire appointing power to members of Congress, and presidents write them apologetic letters, and our legislators use the executive offices of the country as their political property, it is necessary, if we would have reform, to select a system of appointment which will leave as little as possible to what is called "discretion." Public competitive examinations, in which the best man shall win irrespective of his politics, or color, or influence, seem to constitute a system that on the one hand will eradicate the party element from the appointments, and on the other will give us men who certainly cannot be very bad. In England, the system is objected to on the ground that it is not certain to select the best candidates; in America, we have not yet reached that ground of objection, and must resort to whatever system will be most likely to strain out the worthless material with which party managers would otherwise flood the service. Such a system General Grant led us to hope would be effectively established, and such a system he seems to have now abandoned.

THE "FARMERS' CLUBS" AND THE RAILROADS.

AMONG the numerous figures of speech for which the recent Presidential campaign was noticeable, that of the "prairie fire" was not the least common. This conflagration was continually promised and continually looked for, but it would not come. The prairies in fact, until after the election was over, were in a decidedly unflammable condition. No sooner, however, was the great result decided, than, at a moment when such a phenomenon was least anticipated, they suddenly flashed up into a blaze which seems likely to make the State of Illinois, at least, uncomfortably warm in a political sense for some time to come. They had been ignited by a spark from a locomotive.

Seriously, the recent convention of the Farmers' Clubs at Springfield is perhaps the most noticeable political gathering which we are likely to see for some time to come. Very few people in the East have paid much attention to it, or to the circumstances which led up to it, and yet they possess a deep political and financial significance. They constitute in fact an earnest, though almost inarticulate, protest against the whole present organization of the railroad system of the country—a protest the more dangerous because both unintelligent and angry. The history of the Illinois movement is somewhat as follows: Under our system of railroad ownership, an excessive competition exists for the business of all competing points, while the local business of the various competing lines is an absolute monopoly. This has naturally resulted in compelling the corporations to do through business at rates often ruinously unremunerative, which again has compelled these companies to recoup themselves for their losses and secure their profits by excessive charges on the local traffic, of which they

hold undisturbed possession. A case of merchandise, for instance, would be carried on through-rates a thousand miles, from New York to Chicago, for \$5; but the Illinois road which took it a hundred miles out of Chicago to its point of destination, would make a further charge on it of perhaps \$5.50; and this, too, though that same road would probably have completed the carriage from New York to St. Louis, another competing point, for a mere trifle more than the rate to Chicago. The local business, in fact, had to pay all.

As long as the times were good and prices high, as long as the farmers found ready markets and cash sales, this evident abuse, though noticed, excited little clamor. During the last few years, however, enormous areas of new country have been brought under cultivation, harvests have proved abundant, and prices have fallen, until now at last freights to market consume the entire margin of profit. It has ceased to be profitable to raise food. As this unpleasant fact has gradually forced itself upon the notice of the farmers, they have more and more turned their attention upon the question of railroad charges, and two years ago the present agitation began to take shape. Of course, the first resort was to legislation. A law would easily regulate the whole difficulty. Was it not notorious that a usury law always established the rates of interest? Why, then, should not a similar one settle the question of freights? Unfortunately, in granting charters to their railroads, the Legislatures of the Western States had never reserved the power either to amend or repeal those charters, or to regulate the fares and freights which the corporations might charge under them. These charters, therefore, under the famous decision in the Dartmouth College case, amounted to contracts between the States and the corporations, and, as such, came within the scope of the constitutional inhibition of laws impairing the obligation of contracts. In no way daunted by this obstacle, the first Legislature which met under the new constitution of Illinois proceeded to enact a most intricate law, establishing maximum rates of fares and freights for all the railroads in the State, and at the same time erected a board of railroad commissioners to look after its enforcement. Then came the first trouble. The corporations of course contested the validity of the law. If the Legislature could establish one rate at which they should do the work of transportation, it could establish another. They were fighting for their lives and property; it was again taxation without representation. With much trouble and popular perturbation, a case was brought before the Supreme Court of the State, which at last held the existing law establishing fixed maxima to be constitutionally invalid, but at the same time intimated that the corporations, as common carriers, were bound to transport at "reasonable" rates, if only in each particular case what was reasonable could be ascertained. Then the Legislature, impelled by the Farmers' Clubs, took the question up again upon this basis, and proceeded to fix by a rule a test of the "reasonable." New statutes were prepared, establishing rates which were to be held to be reasonable, unless otherwise decided by a jury of twelve men. The power of the State was invoked to prosecute all cases of violation of the law, and a new board of commissioners was selected, which was supposed not to be more enlightened than the old one in the discussion of railroad questions, but more, as it is termed, "in sympathy with the people." Here the case now rests. The wheel has fairly gone round its entire circumference, and the people of Illinois have got back in the nineteenth century to the position of England in the sixteenth. An arbitrary power is claimed in the supreme legislative body to decide on the reasonable rates of the cost of private services. Just as three hundred years ago the price of bread and of labor was regulated by act of Parliament, so now the cost of transportation is to be fixed by a jury of twelve men. Almost necessarily, the verdict of the twelve men can be known in advance. They may be counted upon to declare any rate reasonable which the Legislature fixes, and the corporations may make up their minds to a succession of highly unsatisfactory verdicts. We say that these verdicts may be counted upon in advance. At first glance, it may seem as though this inference was unjust, and yet, let any man who thinks at all conceive for himself, if he can, the result of a system of

legislation which made the use of boots or cotton cloth or bread depend upon the verdict of a jury of twelve men sitting at the doors of each bakery or factory. It requires no great knowledge of human nature to anticipate in such a case the speedy cooling of ovens and cessation of wheels.

Thus far, therefore, the result of the Illinois railroad war must be regarded as rather portentous than satisfactory. Legislatures are once more to try their hands at the great work of fixing prices, and juries are to decide whether the prices thus fixed are what they ought to be. Such attempts are by no means new—hitherto they have not proved beneficial. The farmers of Illinois, however, may revolutionize the ripe experience of all times and of all countries, but if they do it will be through the use of a singularly mediæval machinery. While we in New York are struggling to bring about the repeal of our ridiculous usury laws, in Illinois they have not only just re-enacted them, but they are exerting themselves to extend their operations over railroads, elevators, and cattle-yards—over, in a word, the whole machinery of their business. While we are discussing the shortcomings of the jury system, they are elevating that somewhat obsolete tribunal into a species of grand, general financial regulator. The panel is, in future, to pass upon disputed points of political economy—a method of arriving at correct results which never probably suggested itself to the late Dr. Adam Smith. Still, unique as the machinery is, it will not improbably grind out the result immediately desired by its ingenious inventors. But what then?—will their condition be thereby improved? This we gravely doubt.

What, after all, is the occasion of this plethora of the produce of the West, which has gone on reducing prices until profits are now wholly eaten up in freights? Manifestly it is due to the fact that railroad development has extended the area of attainable food-producing lands over so wide a region that more food is produced than can be disposed of to a profit under the present cost of production. Let us suppose that the hope of the farmers was realized, and that their great staples could be brought to the market at half of the present cost, what would be the result to them? Would they profit by the reduction? It is difficult to see how they could. The immediate result would be a vast extension of even the present area of profitable food production, and the introduction of a new host of competitors. Every reduction of rates would thus enure wholly to the consumer—not at all to the producer. Return freights might be lower, which would somewhat, though to a very small degree, reduce the price of manufactured articles in the West, but the farmer would have no more money in proportion to buy them with. The difficulty is in over-production at the present cost of production, not in high rates of carriage. To increase his profit, the farmer must reduce the cost of growing his crops, and at the same time limit the area which competes with him, otherwise every dollar yielded to him or extorted by him in rates will accrue not to his benefit but to the benefit of the consumer, and of other farmers further West now excluded from the market.

So far as the present phase of this question is concerned, therefore, the remedy would seem to be beyond the reach of the railroad corporations. Every possible concession which the most enthusiastic farmer demands on their part would but remove the seat of the struggle. But it still brings forward into clear, strong light what must inevitably prove one of the momentous questions of the future. In its essence, that which the farmers demand is just. They ask for an access to their markets which shall combine the three elements of certainty, economy, and impartiality. All these are reasonable demands, and yet these are just what the existing system of transportation can never afford. It is not the fault of the railroad corporations. It is nothing less than the breakdown of competition as applied to our railroad system. The cost of transportation cannot be certain where it is necessarily subject to periodical wars of rates, resulting in brief truces of extortions; it cannot be economical while performed by many agents dividing the traffic, which can only flow cheaply when concentrated in single broad, deep channels; it cannot be impartial while the results of ruinous competition at one

point must necessarily be made good by double profits at another. In other words, we are gradually realizing that this enormous interest has been built up on a false economical principle—that competition will regulate where it has free, full play, but where it has not such full, clear play, it must confound.

A vague glimmering of this difficulty is beginning to dawn on our people. The remedy for it lies far beyond the verdict of any twelve men in a jury-box; however intelligent these may be, they can hardly supplement defective laws of trade. The contest now going on in Illinois is one of the early skirmishes of the impending war, which, unless we greatly err, is destined to produce industrial, social, and, above all, political changes in this country of the most startling description. The locomotive is coming in contact with the framework of our institutions. In this country of simple government, the most powerful centralizing force which civilization has yet produced has, within the next score years, yet to assume its relations to that political machinery which is to control and regulate it.

ENGLAND.

LONDON, March 22, 1873.

WHEN last I wrote to you, we were still looking forward to the great fight over the Irish University Bill. I was at that time disposed to think that the second reading would pass, but that the bill would be hopelessly mangled in committee. The result, however, was, as you already know, more speedily and decisively unfavorable. Mr. Gladstone's administration has received a severe blow, and, though it has now come back again in its old shape, its prestige is seriously diminished. The bill now deceased may be dismissed with a very brief epitaph. Nobody was in favor of it with the exception of the Ministry and their thick-and-thin admirers, and nobody will weep over its remains. The only real question was whether the party ties of the majority were strong enough to stand the strain of so unpopular a measure, and that question has been decided in the negative. Mr. Gladstone's normal majority is between 80 and 90; some 35 Irish Roman Catholics deserted on this occasion to the enemy; and the supplement necessary to convert the majority into a minority was derived from the ranks of the discontented Radicals. Mr. Fawcett and about seven others went into the lobby with their natural enemies, the Conservatives, and with the natural enemies of both, the Ultramontanes; and thus a heterogeneous body was brought together, just sufficient to give a quietus to the Irish Bill. And then appeared the admirable nature of the British Constitution, which gave us once more the edifying spectacle of a ministerial crisis. Everybody knows that our Constitution is the pride and envy of the world, and secures liberty without license, flexibility without weakness, and, as somebody says, a good many things without a good many other things. However, the venerable machinery is at times a little cumbrous, and can only be made to work by a vast expenditure of solemn and, to the irreverent, rather tiresome speechmaking. Our Government, as Mr. Bagehot explains with sympathetic admiration, is in reality government by a committee of the House of Commons; but the beauty of the system is that we carefully conceal the fact from ourselves and from everybody else. The veil of royalty descends over the great magicians who arrange the working of the machinery, and shrouds them in sacred obscurity whilst they are going through their mysterious observances. The effect of this upon the language of the chief actors is not a little bewildering. Mr. Gladstone is in his way a master of English, though at the best of times he is apt to be verbose and intricate. But when he comes forward to reveal to the outside world the principles which have guided his steps in the innermost sanctuary, his language becomes so stately as to be barely intelligible. Here, for example, is a sentence literally copied from a document which he laid before the Queen, with the view of accurately defining his position for Her Majesty's satisfaction:

"In humbly submitting this representation to your Majesty, Mr. Gladstone's wish is to point out the difficulties in which he would find himself placed were he to ask your Majesty for authority to enquire from his late colleagues whether they or any of them were prepared, if your Majesty should call on them, to resume their offices, for they would certainly, he is persuaded, call on him for their own honor, and in order to the usefulness of their further service, if it should be rendered, to prove to them that according to usage every means had been exhausted on the part of the opposition for providing for the government of the country, or, at least, that nothing more was to be expected from that quarter."

All which means, in brief, we won't come back to office unless it is quite clear that the opposition can't take our places. The position, in fact, is simple enough. The present Government has a very large majority on all questions but one. By a special infelicity, they happened to knock their

heads against that particular wall. They have found the wall harder than they expected, and in that direction are brought to a dead stop. The natural conclusion is that they ought to go on with the work which they can do, and waste no more time over the work which they can't do. Let us by all means drop this dead bill and pass the Judicature Bill, settle the budget and the taxes, decide upon our foreign policy, and carry on the business of the country, which is of pressing importance. That, in fact, is the conclusion which we have reached, but we have had to reach it through all manner of devious and intricate paths. Government had to show that they were in earnest; they were bound to resign when the bill failed, and give every chance to other men to take their places. Consequently, the abandonment of the bill involved throwing the whole machinery out of gear for a fortnight or so, and all the proper constitutional parade of interviews between Her Majesty and Her Majesty's humble servants, and the production of elaborate manifestoes, such as that from which I have quoted. Well—there is little enough harm done as matters stand; we have got back again to our old position, and the Government will go on, with some injury to its reputation, but it is to be hoped with a greater eagerness to retrieve its reputation by hard work in other departments of legislation. The great anxiety of the House of Commons was to know whether a dissolution was to be expected this autumn. The general impression seems to be that it will take place, inasmuch as members are growing unruly, as the Government has shown its weakness, and as the natural end of the Parliamentary approaches.

For this reason, the byplay which took place between Mr. Gladstone and Mr. Disraeli was watched with special interest. Mr. Gladstone, it was generally thought, was sincerely anxious to retire. He has done a great deal of very hard work during the last four years, and is a man who never shirks his work, or, indeed, takes it as easily as a man of calmer temperament would consider wise. It is supposed that he would not be unwilling to retire into the comparative quiet of opposition, when he might employ his leisure in writing a great theological work for the confutation of Strauss. As he is the greatest of living financiers, and not precisely the greatest of living theologians, he naturally imagines that theological speculation is his proper calling. However, this is a mere guess; and his readiness to retire admits of a different interpretation. Mr. Disraeli evidently thinks, and there is some plausibility in the theory, that this wish for retreat is merely another form of a desire for power. Pope, indeed, observes of his friends:

"If merely to come in, sir, they go out,
The way they take is strangely roundabout."

In fact, however, roundabout ways are occasionally the shortest. In the present case Mr. Gladstone—if Mr. Disraeli be a fair interpreter of his motives—was playing a very simple game. By inducing Mr. Disraeli once more to take office whilst in minority, he would be making his opponents ridiculous. Mr. Disraeli, indeed, has been caught in that trap twice before, and is too clever a politician to fall into it again. In a very clever speech, full of his usual keen wit, Mr. Disraeli painted the miseries of a ministry which only holds office on sufferance. The majority, whilst making great professions of fair-play, can easily subject him to constant humiliation; and, after a few months' uncomfortable balancing in the seat of power, the luckless minister has to appeal to the country under the burden of misfortunes for which he is not really responsible. The portrait was painted with infinite spirit, for it was painted from the life. In short, if Mr. Gladstone is sincerely anxious to retire, Mr. Disraeli is as sincerely anxious not to come in. He will not have his hand forced by his antagonists. He is playing a waiting game, and hopes—not, it must be admitted, without some justification—that a few more blunders and failures of the existing administration will turn the stream still more decidedly in favor of the Conservative reaction. With great cleverness, he made a speech calculated to serve as a manifesto in view of a coming dissolution. He could not, indeed, hold out any very distinct line of policy, for he argued rather extravagantly that it was unfair to expect that an opposition leader should be provided with a definite policy, inasmuch as he was not in possession of the necessary information. But he touched with infinite dexterity on the various weak points of the existing Government. He took care to repudiate any connection with the Catholics, who had accidentally voted with him in the last division. He referred to the great expenditure in which we are still plunged, although the prodigal expenditure of the Tories had been the main cry at the hustings on the last occasion. He noticed the various humiliations incurred by our foreign policy, and hinted that he possessed the true secret of solving the Asian question and satisfactorily settling neutral rights. He declared that, as awkward questions had been effectually cleared out of the way, a great career offered itself to the Conservative party of the future; and although this part of his speculations was concealed under a judicious haze of gene-

ralities, he succeeded in conveying the impression that he would be an admirable party leader when the right time came, and that meanwhile any discontent felt by his followers at his reluctance to take office was thoroughly unreasonable.

For the rest of the session we have no definite reason to expect any very exciting topics. The great subject of debate ought to be Lord Selborne's Judicature Bill, on which opinions are very much divided—some lawyers arguing that the reforms proposed are really delusive and nominal, whilst others regard them as a long step towards better things. At any rate, it brings up a subject of very great importance, and one is glad to see a substantial effort at law reform occupying the attention of Parliament, which is too apt to prefer more flashy and popular subjects.

Notes.

A NEW work, 'Play and Profit in My Garden,' by Rev. E. P. Roe, author of 'Barriers Burned Away,' will be published this month by Dodd & Mead, who announce also 'Questions of the Day,' by Rev. John Hall, D.D., with a new edition of his 'Paper for Home Reading.'—The Executive Committee for the collection of the Woolsey Fund of Yale College report an aggregate of \$154,394 53 as having been subscribed, and of \$89,580 79 as being in the treasurer's hands on March 15. It is desired to pay over the first instalment of \$100,000 on Commencement Day (June 26), and contributions should be sent either to Mr. Henry C. Kingsley, Treasurer of Yale College, or Mr. Alexander H. Stevens, Treasurer of the Committee, Gallatin National Bank, N. Y.—Carl Habel, Berlin, has in press 'Prolegomena' to a new edition of the 'Imitatio Christi' of Thomas à Kempis, which is to be not only an introduction to his complete works, but an attempt to establish finally his authorship of the 'Imitatio.' For this purpose his original autograph will be made use of as never before, with due reference to its peculiarities (especially its punctuation, neglect of which has obscured the rhyme and rhythm of the composition), to its division into chapters, etc. Numerous facsimiles of important manuscripts, including that of the 'Imitatio' itself, will be given. Pastor Hirsche of Hamburg is the editor.—Joseph Albert, the well-known Court-photographer of Munich, and inventor of the permanent-printing process which bears his name, invites subscriptions to a large quarto 'Album of the Passion Play at Ober-Ammergau.' This is an account of the play, with the text and songs of the chorus, by John P. Jackson, illustrated by a series of twenty etchings from the drawings of 'The Homes of Ammergau' by Eliza Greatorex, and sixty large photographs of the scenes and tableaux taken by Albert himself. Mr. Jackson has already edited a similar work on a much smaller scale, but without illustrations. The 'Album' will contain, besides those mentioned, a view of the village of Ober-Ammergau, and portraits of the delineators of Christ in 1850, 1860, 1870, and 1871—in all, more than eighty pages of art leaves and two hundred pages of text. Two hundred copies only will be published, and the price is fixed at £10 10s.—'The Life of Friedrich Schiller' is the latest volume of the admirable ninety-cent edition of Carlyle's complete works. (New York: Scribner, Welford & Armstrong.)—J. B. Lippincott & Co. have issued the 'Pickwick Papers' as the first of a new library edition of Dickens, printed in large type on the best paper, and illustrated with steel engravings by H. K. Browne, Cruikshank, and others. They announce as in press the following works: 'Work, Play, and Profit,' by Anna M. Hyde, being gardening for young folks; 'Thinkers and Thinking,' by John Darby; 'Thoughts on Life and Character,' by S. P. Herron; 'The "Spiritual" Delusion,' by Dyer D. Lum; 'The Great Trial,' by A. C. Harness—an arraignment of the Genius of Civilization; 'Gone Before,' by Henry Southgate; a novel, 'Under the Surface,' by Emma M. Connelly; poems, 'Leisure Moments,' by H. Helen Nures; and 'Queen Loo, The Prehistoric Woman, and Other Poems,' by G. Narramore.—The spring announcements of Holt & Williams include 'Essays,' selected from the papers of the late Professor James Hadley; 'Liberty, Equality, and Fraternity,' by Fitzjames Stephen; Strauss's 'Old Belief and the New'; Tylor's 'Primitive Culture' and 'Early History of Mankind'; 'History of German Literature,' by Gostick and Harrison; the second volume of Freeman's 'Historical Course,' being the volume on England; and a large addition to their 'Leisure-Hours Series'—novels by Turgenev, Cherbuliez, Droz, Freytag, etc., and 'Scintillations from Heinrich Heine,' translated by Simon Stern.

—Hygiene is the name of a fortnightly journal of sanitary science published in this city through Messrs. G. P. Putnam's Sons, which we can confidently praise for the intelligent manner in which it is edited, as well as for the excellent taste displayed in its typography. In form it is an 8vo of 32 pages, convenient for binding, though the plan and scope of this periodical

make of every issue a valuable tract for public distribution. It is very far, however, from having the scrappiness and disjointedness of a tract. It has regular departments, not, as in the case of the so-called health journals of another stamp, for general, unsystematic, and more or less charlatanlike talk on hygiene, but for the practical discussion of current topics from a scientific point of view, giving to the meaning of "hygiene" such an extension as makes it equally proper to discuss the physical aspects of hanging and to point out defects in the construction of the Warren Cooker. There is an evident purpose to avoid anything like padding. We should mention as being particularly interesting and valuable the summary called Health-Notes, the Analyses and Comments, and the Book-Notices. A little later in the field is the monthly journal, the *Sanitarian*, edited by Dr. A. N. Bell, and published by A. S. Barnes & Co., New York City. It has a less popular character than *Hygiene*, giving in full what the latter gives in abstracts, and so rather addressing itself to the profession, who ought to find their account in it. The April number (No. 1) has an article on the New York Quarantine Establishment, by the editor, with illustrations and a quarantine chart of the harbor.

—A noteworthy series of papers, by Mr. Howard Staunton, has lately appeared (and, it is to be hoped, is not yet finished) in the *Athenaeum* on "Unsuspected Corruptions in the Text of Shakespeare." All such contributions to Shakespearean literature are to be warmly welcomed. They are not the haphazard guesses of a novice, but the results of years of such training as the editing of Shakespeare can alone give, and are supported by parallel passages from Shakespeare's own works and from contemporary Elizabethan literature. Although we may not always be convinced that the passage in question is corrupt, or that, if corrupt, Mr. Staunton's conjectural emendation is the happiest to be found, yet the mere fact that so keen a critic has expended on it some of his best thought is sufficient to make us pause and reflect—and is that time ever to be counted lost which has been devoted to a passage in Shakespeare? It is minute verbal criticism which is the very life of Shakespearean study. Without it there can be no genuine aesthetic criticism. Dr. Arnold felt this clearly when he said: "My delight in going over Homer and Virgil with the boys makes me think what a treat it must be to teach Shakespeare to a good class of young Greeks in regenerate Athens; to dwell upon him line by line, and word by word, in the way that nothing but a translation-lesson ever will enable one to do; and so get all his pictures and thoughts leisurely into one's mind, till I verily think one would, after a time, almost give out light in the dark after having been steeped, as it were, in such an atmosphere of brilliance; and how could this ever be done without having the process of construing, as the grosser medium through which alone all the beauty can be transmitted, because else we travel too fast, and more than half escapes us?" Every student of Shakespeare will echo these true words, and respectfully entertain conjectural emendations when proffered by such scholars as Mr. Staunton.

—That very large portion of the unscientific public which is interested in questions relating to the "future of the earth," will do well to look at No. 7 of "Half-hour Recreations in Popular Science," published by Estes & Lauriat, Boston. The number in question is a paper by Prof. A. Winchell, of the University of Michigan, on the "Geology of the Stars," in which he gives a summary of the present condition of scientific knowledge with regard to the history of matter, from its nebulous to its stellar, and, finally, its planetary condition. On the probable future of the earth, the first two phases throw no light, but the last does. There is in the moon, as every one knows, no present evidence of the existence of an atmosphere or of water; but their "former existence is a fair and direct deduction from the doctrine of the common origin of the earth and moon." But if they once existed, how shall we explain their disappearance? They have been absorbed by the rocks. In an age long gone by, the moon was in the same physical condition as the earth. The water on its surface, or that which descended in periodic storms, as it percolated the porous rocks and thin crust of the moon, soon reached a temperature which dissipated it in vapor, and returned it to the surface, to be recondensed. But the moon, having only one-fourth-ninth the bulk of the earth, cooled forty-nine times as rapidly as the earth, and at length a temperature was reached at which the rocks on the surface took it in faster than it could be evaporated again. "The moon is a fossil world, an ancient cinder suspended in the heavens, once the seat of all the varied and intense activities which now characterize the surface of our earth, but in the present period a realm of silence and stagnation."

—Such will be the fate of the earth. Already our planet has passed through the "ring condition" now presented by Saturn, and the stage now seen in Jupiter, in which "a water mist begins to condense in the peripheral regions," and gathers with a vaporous envelope; this precipitates an

aqueous rain, which ultimately finds a resting-place upon the incrustated nucleus. Later, life makes its appearance. Then comes the terrestrial stage, in which we now are, and in which the "organic phase culminates." Then comes the stage in which Mars now seems to be, with diminished vapors and infrequent rains, encroaching cold, and "decline of the organic phase." Last of all will be the stage in which the moon now is, beginning with the disappearance of aqueous vapors, ending with the total absorption of ocean and air, the extinction of organization, and final refrigeration:

"The progressive cooling of the earth will allow the waters to circulate deeper and deeper. When the thickness of the terrestrial shell, which must be saturated with water, has doubled, the increased demand must lower the waters of the ocean, and long before refrigeration has reached the centre the thirsty rocks will have swallowed the sea and all our surface waters. The drained, and shrunken, and shivered zone lying nearer the surface will suck in the atmosphere, and this will disappear in the pores and the caverns of the worn-out world."

—The cumulative plan of voting has received a check in Pennsylvania, where there was reason to hope much from a trial of it, as we intimated in our recent notice of Senator Buckalew's work on the subject. It now appears that the act passed through his influence, providing that councilmen, etc., in boroughs throughout the State should be elected by the cumulative vote, proved so unpopular that during the winter several boroughs procured the passage of acts exempting them individually from the application of it. These the Governor vetoed, on the ground that it was better that a general law should be abrogated all at once rather than by piecemeal; upon which the Legislature, with yet other special acts looming up before it, passed an act repealing the Buckalew statute, and last week the Governor gave it his signature. We must freely admit that this result is more disappointing than discouraging. Pennsylvania is but stony ground for political reform, even of a sort not more advanced than cumulative voting. It is now in order for Mr. Buckalew and his friends to reopen the discussion of minority representation, and to continue it until comprehension of the principle leads naturally and without coercion to the adoption of practical measures as fast and as far as enlightenment spreads.

—That interesting question regularly discussed in American society after dinner, "How ought Englishmen to be put to death?" will be the subject of more lively debate than ever when our public become aware of certain statements which are made by the well-known Dr. Letheby; and we suggest that the discussion be brought to a close at an early day, debate having already too long postponed action. Dr. Letheby, Toxicologist, Medical Officer of Health for the City of London, M.B., Ph.D., Fellow of the Linnean and the Chemical Society, Lecturer on Chemistry to the Corporation of London, etc., etc., etc., when, in his excellent book on 'Food,' he has occasion to speak of the people of the United States and their *cuisine*, puts forth many nefarious sentiments, of which this that follows is a sample: "The sallow, weazen look of the natives of the Northern States of America is thought to be due to the indigestible preparations of Indian corn, called *mush*, *hominny*, or *Johanny*, which constitute the chief portion of their daily meals." Again he says: "In certain districts of North America, especially on the Allegheny Mountains, the flesh of all the cattle is poisonous, and so, also, is the milk they yield, and the cheese which is made from it." And yet again—after being compelled to admit that "hares" [a British animal—ED. NATION] which have fed on the *rhododendron chrysanthemum* "are frequently unwholesome"—he makes haste to add that "the same is the case with pheasants in Pennsylvania and Philadelphia" (*sic*). Philadelphia pheasants, it seems, "feed during the winter and spring on the buds of the wild laurel" which abounds; and Dr. Letheby has also known "many instances of serious mischief from prairie birds, which are largely imported into this country from America, and attributes it to the food made use of by the bird." Over here, Tenterden Steeple is supposed to be the cause of these seizures, which are never severe, the usual remedy being a few less prairie "birds" at a time. As for the "mush or Johanny," it is at least better than the cow-heel and three half-quarters of gin which constitute [fact—ED. NATION] Dr. Letheby's notion of "a square meal," as the English call it. We may return to this subject, again; meantime, if distinguished English gentlemen, when writing about the thirty or forty weazen millions of their kith and kin on this side of the water, would take half the pains to be correct before they talk that we over here always take whenever we have to speak about distinguished Englishmen, it would be "more better," to use the language of Andrew Marvell, private secretary of Milton, whose immortal works both countries possess in common.

—The *Athenaeum* speaks of an English lady, Miss Anna Blackwell, who has recently had printed, for private circulation, a pamphlet entitled 'Spiritualism and Spiritism,' which must be rather curious. Miss

Blackwell claims, it is said, the credit of being the person who first introduced Spiritualism into France (so long ago as 1850), and now of laying before the English public "the far more intellectual and refined doctrine of Spiritism." Spiritism appears to have for its distinctive features the doctrine of the reincarnation of souls, and thus to differ little, if at all, from the ordinary belief in metempsychosis—though we speak under correction from any heathen reader skilled in this latter doctrine. A principal difference between the two is perhaps that, according to Miss Blackwell, some of the more highly endowed subjects of the Spiritistic reincarnation have not merely Plato's "dim reminiscences" of the soul's former habitation in this world, but a perfect knowledge of their former estate. Thus, the late M. Allan Kardec could recollect the time when he was here as John Huss, the Bohemian Reformer, who was burnt at the stake in 1415. As 1415 is only four hundred and fifty-eight years ago, and as M. Kardec died some time since, it will be seen that his life in his last human form—if that of Huss was his last—must have been acceptable to the powers controlling the transmigration, four hundred and odd years being a rather short interval between human incarnations. In Miss Blackwell's own case, if we may trust the *Athenæum's* brief synopsis in a matter of this degree of delicacy, the interval since she was last in human form is rather more than five thousand four hundred years; and for reason good. She says that she has authentic evidence, revealed to her by two spirits, that in the year 3543 B.C. she was a princess of Abyssinia. The first spirit who communicated this intelligence to her was her father of that date, and the second spirit-witness confirmed the father's testimony in the following dialogue:

Miss Blackwell—"Are you a friend?"

Spirit—"Enemy."

Miss B.—"Of this life?"

Spirit—"No. Long ago."

Miss B.—"In what quarter of the globe?"

Spirit—"Africa."

Miss B.—"In what country?"

Spirit—"Abyssinia."

Miss B.—"Before or after Christ?"

The spirit names the date as above given, says that she was one of the attendants of her questioner in the state of existence which they shared in common so long ago, and that the questioner was a king's daughter. The conversation concludes as follows:

Miss B.—"Was I good?"

Spirit—"Wicked and ugly."

The fact that the attendant is still in the spirit-world, and has not been allowed to return to the comfortable life of humanity, may be taken, we trust, as militating against her testimony, and probably we cannot be too cautious in accepting her word as to the character and personal appearance of her former mistress. But it may be that the "ugly" is used in the sense which that word bears in some American quarters, and means "cross," and has no reference to physical graces or deficiencies of any kind.

—The year 1872 has, on the whole, been well represented in historical literature, and has produced several works of permanent value. The fourth volume of Mr. Freeman's great work was late enough in 1871 to count here, and at any rate was not noticed in our last annual survey (see No. 348). This indefatigable worker has not failed to produce two or three slighter books in the interval between his fourth and fifth volumes—the 'Essay on the English Constitution,' the 'Rede Lecture,' and the 'Outlines of History,' all of which have been noticed by us. Mr. Froude, too, nearly as active in his field, has produced his 'History of Ireland,' certainly in the midst of a storm such as seldom greets a new history. On the other hand, we cannot say much for American writers, nor for English writers of the second class: there is little deserving mention under either head, except Mr. Frothingham's 'Rise of the Republic' and the two books of the Messrs. Drake—the 'Biographic Dictionary' and 'Old Landmarks of Boston.' Two important reprints—Greene's 'Historical View of the American Revolution' and Ticknor's 'History of Spanish Literature'—also belong here. In ancient history, Mommsen, no less voluminous a writer than Mr. Freeman, and who never does anything without making a mark, has issued the first volume of his 'Roman Constitutional Law' (*Staatsrecht*), unquestionably the most important work in this field since 'Niebuhr'; it forms an epoch in this branch of enquiry, as the history of the same writer does in Roman history. Dr. Ihne has issued the third volume of his Roman history, a work which is not without value, even by the side of Mommsen's greater work. His point of view is antagonistic to the Romans, and very favorable to Carthage; this third volume comes down to the fall of Numantia. Mommsen does not yet give us the Roman Empire, so long desired from his hands; but one of his pupils, Schiller, has published a history of the reign of Nero, which has received great commendation. We will also mention Plantà's 'Ancient Rhetoric' and Professor Nitzsch's 'Roman Annals,' the volume published extending

down to Valerius Antias. In this category belong also Burn's admirable 'Rome and the Campagna' and the first instalment of Smith's splendid 'Ancient Atlas'; while the Cesnola collection of remains from Cyprus certainly deserves mention in a survey of the year.

—The Historical Commission of Munich has published fewer important works this year than usual; one or two of the most important—as the first volume of the great 'German Biography' and the 'Chronicle of the City of Nuremberg'—are just ready for publication. Three volumes have been issued of the history of sciences in Germany—of Technology, by Karmarsch; of Zoölogy, by Carus; and of Philosophy, by Zeller. Other important works of this series (now numbering thirteen volumes) are the histories of Constitutional Law by Bluntschli and of Philology by Benfey; it is worth mentioning, as illustrating the calm, scientific spirit in which history is studied in Germany, that the histories of Protestant and Catholic theology stand side by side in the list. Of the great English series of mediæval documents published under the direction of the Master of the Rolls, we have the completion (Vol. IV.) of Roger of Hoveden, by Professor Stubbs, and the first volume of Matthew Paris, by Mr. Luard. This is also the place to mention Professor Stubbs's great collection, 'Councils and Ecclesiastical Documents,' Vol. III, containing the Anglo-Saxon Church to Alfred. Vol. I, comprises the early British Church; and Vol. II, edited by Mr. Haddan—not yet published, on account of his illness—will be devoted to the Scotch and Irish Churches. The English Historical Commission continues to unearth numerous valuable documents, chiefly belonging to the sixteenth and seventeenth centuries; but they are historical materials rather than history. Other histories of importance are Monod's 'Grégoire de Tours,' Hausrath's 'Neutestamentliche Geschichte'—both of which we have mentioned before—and a collection by Amédée Thierry of his papers in the *Revue des Deux Mondes* upon the history of the fifth century—somewhat similar to his brother's 'Récits des Temps Mérovingiens.' Baron von Helfert's 'History of Austria since 1848'—written in support of the reaction of 1849—should also be mentioned. Evans's 'Stone Age of Great Britain' belongs in a sense to history. The period of the Hussite Wars, the study of which received a new impulse from Palacky's great work, has of late attracted a great deal of attention from German students. Dr. Wilhelm Berger's 'Johannes Hus and König Sigmund' gives a full and graphic sketch of the Hussite movement down to the death of Huss, from an almost exclusively political point of view—a very careful and thorough study. He takes the same ground as Hefele (see *Nation*, No. 312), that Sigmund was guilty of no breach of faith towards Huss; his safe-conduct having no validity against judicial process, to which Huss voluntarily submitted himself. Those who desire a sketch of the career of the religious reformer will find Köhler's 'Johann Huss' a good popular work. The author has since published a similar work upon Luther. Professor Grünhagen, of Breslau, has published a detailed history of the Hussite Wars in Silesia, to illustrate the view that these wars were rather national—Slaves against Germans—than religious. Two volumes of the 'Scriptores Rerum Silesiacarum' (VI. and VII.) have also appeared, under Grünhagen's editorship, covering the period of the Hussite period and the Podiebrad period respectively. To these wars is traced the origin of the antagonism between Silesia and Bohemia.

ZOOLOGICAL MYTHOLOGY.*

THE literature of comparative mythology, which, for so young a science, is already abundant and well matured, has been enriched by two recent publications, very different in scope and character, but perhaps for that very reason none the less adapted to be considered together. Professor De Gubernatis of Florence has published in English an elaborate, and for all practical purposes exhaustive, treatise upon one portion of the great field embraced by the science; and Mr. Fiske, of Cambridge, has presented in a few graphic chapters a summary of some of the most important of the results already reached, joined to a discussion of what we may term the philosophy of mythology and its relation to the other branches of primitive culture. We need only premise that both writers have done very satisfactorily what they set out to do. Mr. Fiske's papers are not merely a popular presentation of results reached by the study of others; in a science like this, which is essentially comparative, nothing is more serviceable than that students who are not specialists in it should from time to time examine the state of the science, and help in establishing its philosophy. These papers discuss one by one some of the leading classes of myths, grouped about the idea

* 'Zoölogical Mythology; or, The Legends of Animals. By Angelo De Gubernatis, Professor of Sanskrit and Comparative Literature in the Istituto di Studi Superiori e di Perfezionamento at Florence, etc.' In two volumes. New York: Macmillan & Co. 1872. 8vo.

Myths and Myth-Makers: Old Tales and Superstitions Interpreted by Comparative Mythology. By John Fiske, M.A., LL.B., Assistant Librarian, and late Lecturer on Philosophy at Harvard University. Boston: James R. Osgood & Co. 1873. 12mo, pp. 251.

from which they seem respectively to have been developed; the three last are of a more general character, and the last, 'The Primeval Ghost-World,' analyzes the process of myth-making with great clearness of insight. The book, by its calm and broad spirit, is well suited to those who find themselves unprepared to follow Professor Max Müller and Mr. Cox to the full length of their hypotheses.

Professor De Gubernatis's work is, on the other hand, intended for the use of special students, and would as a whole be dry reading for anybody else. His theme is, the animals in mythology so far as they had their origin in the observation of celestial phenomena. It is true there are not infrequent expressions which would seem to imply that the author regarded this as the sole origin of all zoological mythology, as in the Preface, p. xv.: "There is but one general domain in which all the animals of mythology are produced, and made to enact their respective parts. This domain is always the heavens." But he admits (vol. ii., p. 422) the danger theorists are in "of confining their observations to one special favorite mythical point or moment, and referring almost every myth to it"; and says explicitly, p. 424: "It would be an exaggeration to ascribe to all the myths one unvaried manner of formation." At any rate, the most hasty consideration will suggest zoological myths of which this work takes no account; such, for example, as the *totems*, treated by Mr. McLennan. And it would be preposterous on the face of things to maintain that in all cases where a myth relates to animals whose home is the earth or the water, it must be ascribed to some resemblance to sun, moon, star, or clouds.

Still, one is astonished at the clearness with which this connection between the animals of mythology and celestial phenomena is proved in a vast number of cases where it is at first sight very obscure. The chief value of the book is that it goes back to the very earliest myths, those of the Vedas, gives these in detail, and then traces in each case the shape which the myth assumed, in later Hindu tradition, and among the Iranians, Turanians, (by intercourse), Slavonians, Scandinavians, etc. The materials are drawn least from the classic, the Scandinavian, and other mythologies which are generally familiar; most copiously from Asia and Russia. One is, as we have said, astonished at the variety of the symbolism found in the Vedas, and the multitude of different animals which are identified with these phenomena of morning and evening. For example, the antelope, not an animal that we should think especially likely to suggest such images: "The Rig-Veda represents to us the Marutas, or winds that lighten and thunder in the clouds, as drawn by antelopes. The Marutas are born 'shining of themselves, with antelopes, with lances, amid thunder-peals and flashes of lightning.' 'They have yoked, with a red yoke, the antelopes. The young battalion of the Marutas goes of itself, and has an antelope for its horse.' The horses of the Marutas, which we already know to be antelopes, are called winged, and are said to have golden forefeet. The antelopes of the Marutas are splendid. Nor are the Marutas only carried by antelopes; they also wear upon their shoulders antelopes' skins" (ii., p. 83). The wealth of symbolism in the Vedic myths, and its development into all the later phases, is shown most completely in the chapter on "The Cow and the Bull," which occupies more than half of the first volume, and which demonstrates many remarkable transformations of myths; although we cannot think that this single aspect exhausts the extensive and varied mythology of these animals.

In the chapter on "The Horse" we have a graphic and picturesque account of the growth of mythical pictures from the phenomena of dawn and twilight. "This continuous succession of shadows, penumbrae, chiaroscuro, and shades of light, from the black darkness to the silver moon, from the silver moon to the gray twilight of morning, which gradually melts into and confounds itself with the dawn, from the dawn to the aurora, from the aurora to the sun; the same variations recurring, but inversely, in the evening, from the dying sun to the reddish and blood-colored sky or evening aurora, from the evening aurora to the gray twilight, from the gray twilight to the silver moon, from the silver moon to the gloomy night—this continual change of colors, which meet, unite with, and pass into each other, originated the idea of celestial companions, friends, or relations, who are now in unison and now separate, who now approach to love each other, to move together, and affectionately follow each other, now rush upon each other to fight, despoil, betray, and destroy each other turn by turn, who now attract and are now attracted, are now seduced and now seducers, now cheated and now deceivers, now victims, now sacrificers" (i., p. 320). Further on, in speaking of mythical characters: "In their nocturnal journey the moon plays the part now of the good old man or the good fairy; now of the good cow or the bull; now of the gray horse, the steed of night, who in three stations bears them to their goal; now of the bird who, nourished upon their flesh, carries them to their destination; and now we have, on the contrary, the monster itself or the step-mother who threatens, tortures, and persecutes them" (p. 325). This is clear and instructive; only, while recognizing that the makers of

myths saw all these things, we surely need not conclude that they saw nothing else.

Even Mr. Fiske, whose point of view is a philosophical one, is not free from this tendency of the pure philologists—exemplified in Mr. Cox and Professor De Gubernatis—to see in myths nothing but phenomena of nature translated into language; in the words of Max Müller, that "mythology is only a dialect, an ancient form of language." Mr. Fiske says, p. 22, that "it is characteristic of a myth that it is spread in one form or another over a large part of the earth, the leading incident remaining constant, while the names and often the motives vary with each locality." This language would seem to imply that nothing is a myth unless it possesses this universality; that a myth may be suggested by the daily course of the sun and moon, by the winds, the stars, and the clouds, but not by anything that is exclusively local or individual. To be sure, it is largely a matter of definition and limitation. If Hercules was the sun, and thus was identical with Perseus, Achilles, Sigurd, and other solar heroes, still the elements of his several labors, the lion of Nemea, the hydra of Lerna, the birds of Stymphalos, must have been associated with some special local phenomena. And if a genuine myth may thus be associated with a special locality, why may not a myth be formed which is exclusively local—not connected with sun, moon, or stars, but with exclusively local phenomena, and, it may be, with temporary and exclusively local occurrences—a meteor, for example, or a mirage?

Max Müller and his followers have done an inestimable service to the study of mythology, and have placed it at last upon a sure foundation. The various systems of symbolism and allegory which were proposed in former times were all inadequate because founded upon inadequate data. Mythology could not be anything but empirical until there were materials for its comparative study; now, at last, with investigations such as this of Professor De Gubernatis, we may feel that we are actually getting at the bottom of the subject, that we have an hypothesis which explains the phenomena, and which will never be set aside.

At the same time, while admitting all this, we cannot but think that the present method is inadequate likewise—not in the same way and degree as earlier theories, for this is fundamental and scientific, while those were partial and empirical—still incomplete. What has become of that interpretation of local myths which appeared so fruitful and suggestive when brought forward by Karl Otfried Müller? It is wholly ignored and indeed denied by the new school. What has become of the historical mythology so eloquently developed by Müller's pupil, Ernst Curtius, both as representing events in early Greek history, and especially as embodying the influence of foreign thought upon the religious ideas of the Greeks? The one is absolutely denied, the other neglected. Now, if we are ever to have a really rich and edifying science of mythology, it must, to be sure, be based upon these comparative studies; but it must be recognized that the Greeks, too, as well as the primitive Aryans, possessed a constructive imagination, and that what they added is of value as well as what they inherited. A third element, too, must be recognized—that of the direct influence of more cultivated nations. For example, Hercules is not only the primitive sun-god; he is also the Phœnician Melkarth; and, for the matter of that, so far as the Greeks were concerned, he was no sun-god at all, but the heroic champion and reformer.

The execution of 'Zoological Mythology' is modest and every way satisfactory; the use of the English language is remarkable for one who "for the first time in his career as a student ventures to address himself to a foreign public and clothe his ideas in a foreign tongue." We have noticed only one incorrect expression—"skilful to rob" (i., p. 328, note). There are scattered through the rather dry treatise many brief sentences which go to the root of the matter. "It is these inconsistencies which have caused mythology to be condemned by the crowd of old but prolific pedants as a vain science; whereas, on the contrary, it is precisely these inconsistencies which raise it in our esteem to the rank of a valid science" (i., p. 89). "This is unnatural in zoology, but it is very natural in mythology" (p. 370). "Because the primitive man was not so much inclined to make abstractions as comparisons (to represent strength, for instance, he had recourse to the image of the bull, the lion, or the tiger; . . .), in the primitive speech of mankind no conjunctions existed by means of which to write the two terms of a comparison: hence a strong king became the lion, a faithful friend the dog, an agile girl the gazelle, and so on" (ii., p. 427). "Primitive man does not ascribe to the god any other form than those which he sees round him and which he knows; the god cannot have wings of his own, divine wings; he must become a bird in order to be winged" (p. 428). This remark may be supplemented by Mr. Fiske's, p. 79: "To the ancient there was nothing necessarily diabolical in the transformation of a man into a beast."

We will add a few words from the preface, upon the varied development

received by the same myth in different communities: "It is sufficient here to cite the complete epos which formed itself in Europe concerning the fox, to which the Indian traditions, which prefer to dilate upon the cunning of the serpent, assign quite a secondary place. It is true that here zoölogical geography comes in to explain the apparent interruption in the series of comparison, showing how it was impossible that in the Hindu legends the fox, an animal far less familiar to those regions, should become the highest type of feminine malice; while for the same reason the elephant, the giant ape, the gigantic turtle, which occupy such an important position in the Brahmanic mythology, could scarcely find a place in the mythical legends of Europe" (p. xiv). It is also a suggestive remark, of the truth of which those more familiar with the habits of animals can judge, that "the cunning of the fox has been exaggerated by popular superstition as much as the stupidity of the ass, for a mythical reason and from tradition, far more than by the observation of exceptional habits in these animals"; the fox, from its color, being "the reddish mediatix between the luminous day and the gloomy night"—"the hour of twilight is the time of uncertainties and of deceits" (ii., p. 122).

While saying that the detailed comparison of myths, their genesis and development, is, as might be expected, rather monotonous and dry, we must not forget to mention the numerous stories introduced, especially the unpublished Italian legends, which our author has picked up himself, and those from the Russian of Afanasief. We will close with one of the most entertaining of the latter, relating to the little jorsh (perch), who appears to play the part of Br' Rabbit in the negro stories:

"The bream accuses the little jorsh, the wicked warrior who has wounded all the other fishes with its rough bristles, and compelled them to forsake the Lake of Rastoff. The jorsh defends itself by saying that it is strong in virtue of its inherent vigor; that it is not a brigand but a good subject, who is known everywhere, highly prized, and cooked by great lords, who eat it with satisfaction. The bream appeals to the testimony of other fishes, who give witness against the little perch, who thereupon complains that the other fishes in their overweening importance wish, by means of the tribunals, to ruin him and his companions, taking advantage of their smallness. The judges call the perch, the eel-pout, and the herring to give witness. The perch sends the eel-pout, and the eel-pout excuses itself for not appearing, pleading that its belly is fat and it cannot move; that its eyes are small and its vision imperfect; that its lips are thick, and it does not know how to speak before persons of distinction. The herring gives witness in favor of the bream and against the little perch. Among the witnesses against the jorsh the sturgeon also appears; it maligns the jorsh, alleging that when he attempts to eat it he must spit out more than he can swallow, and complains that when it was one day going by the Volga to Lake Rastoff, the little perch called him his brother and deceived him, saying, in order to induce him to retire from the lake, that he had once also been a fish of such size that his tail resembled the sail of a ship, and that he had become so small after having entered Lake Rastoff. The sturgeon goes on to say that he was afraid, but remained in the river, where his sons and companions died of hunger, and he himself was reduced to the last extremities. He adduces, moreover, another grave accusation against the jorsh, who had made him go in front in order that he might fall into the fishermen's hands, cunningly hinting that the elder brothers should go before the younger ones. The sturgeon confesses that he gave way to this graceful flattery, and entered into a weir made to catch fish, which he found to be similar to the gates of great lords' houses—large when one goes in and small when one goes out; he fell into the net, in which the jorsh saw him, and cried out, deriding him, 'suffer for the love of Christ.' The deposition of the sturgeon makes a great impression upon the mind of the judges, who give orders to inflict the knout upon the little jorsh, to impale it in the great heat, as a punishment for its cheating; the sentence is sealed by the crayfish with one of its claws. But the jorsh, who has heard the sentence, declares it to be unjust, spits in the eyes of the judges, jumps into the briar-brake, and disappears from the sight of the fishes, who remain left in shame and mortification" (vol. ii., p. 346).

GERMAN NOTIONS OF OUR FEDERAL CONSTITUTION.*

ABOUT three years ago, in a review of Mr. Blankenburg's book on 'Die inneren Kämpfe der nordamerikanischen Union bis zur Präsidentenwahl von 1868,' we complained that German scholars, in striking contrast with their usual painstaking thoroughness, are wont to consider the United States as a kind of literary *terra nullius*, of which everybody may take possession. In this solitary case, a real knowledge of the subject treated is with them an object of hardly secondary consideration. So far as they condescend at all to collect material for their work, they read "with a wet finger," sighing for some ingenious Yankee to invent a machine for turning over the leaves of the books with tenfold speed. This is strong language, but it is high time to put a stop to this disgusting book fabrication, by making these easy-minded type and paper wasters understand that they will henceforth be watched and mercilessly exposed.

* "Das nordamerikanische Bundesstaatsrecht verglichen mit den politischen Einrichtungen der Schweiz. Von Professor Rüttimann." Zweiter Theil. Erste Abtheilung. Zürich. 1872. pp. 290.

On page 39 of the second volume of Mr. Rüttimann's 'Nordamerikanisches Bundesstaatsrecht,' we find the above-mentioned work of Mr. Blankenburg quoted as authority, and for no less a question than the reconstruction of the rebel States. This single fact sufficiently proves how competent a man Mr. Rüttimann is to write a work of two volumes on the constitutional law of the United States. We do not mean to put him in the same category with Mr. Blankenburg, which would, indeed, be doing him gross injustice. On the other hand, we cannot measure the two men by the same standard. Mr. Rüttimann is not, like Mr. Blankenburg, a general publicist of rather indifferent standing, but professor at a university, whose principal task it is to train future scholars, and whose book pretends to be a strictly scholarly work. By this pretence, he challenges a careful and thorough examination of the work, and hardly a single page can stand such a test.

One need not be very deeply versed in the constitutional law of the United States to know that it is absolutely impossible to write a good work on it without having acquired a thorough knowledge of the history of the United States. In this Mr. Rüttimann is almost entirely lacking. Want of space forbids us to prove this assertion, and to point out all the important omissions and inaccuracies consequent upon the author's inefficiency in this first requisite. We must content ourselves with mentioning that by far his principal historical authority is Neumann's 'Geschichte der Vereinigten Staaten,' one of those "wet-finger works" whose only real merit is that it strenuously upheld the cause of the Union and of the free-labor North against secession and slavery—a work so superficial that, for instance, even the main motions in the debate on the Missouri question are radically misstated. Our general judgment upon Mr. Rüttimann's work can be amply justified by stating a simple fact, and illustrating by a few examples the unavoidable consequences of it.

The original sources from which the constitutional law of the United States has to be gathered, i.e., the decisions of the courts, chiefly of the Supreme Court of the United States, Mr. Rüttimann has never had in his hands. It even seems in the highest degree probable that the United States statutes at large are not among the works used by him; his knowledge of the constitutional law is entirely derived from second and third-hand sources. The manner of quoting leaves the general reader in doubt whether or not the author pretends to have consulted the original sources; an expert sees at a glance that he has not. On page 21, for instance, we read: "12 Howard 443 . . ." the quotation follows, and at the end, in brackets: (Gardner 226). According to the German manner of quoting, it should be: Howard, or Howard's Rep., xii. 443. Now, turning to 12 Howard 443, we find that there the report of the case of *The Propeller Genesee Chief v. H. Fitzhugh* begins. The quoting of the page where a report begins, so common in American law books, is quite unknown in Germany if a particular sentence is referred to. Finally, the sentence quoted by Mr. Rüttimann is not to be found at all in the report.

One other example of the same kind, but still more striking. On page 15, the decision of the Supreme Court in *Brown v. Maryland* is mentioned, and then added: "In a later decision, this too unconditional and general sentence has been narrowed down and rendered more exact by the Supreme Court in the following manner:" then follows a long quotation, which, as the author correctly states, is to be found 5 Howard 574, 575. If he had read the report himself, he would, however, have found the following sentence preceding the quotation: "This question came directly before the court, for the first time, in the case of *Brown v. The State of Maryland*, 12 Wheat. 419. And the court there held . . . ;" and immediately after the quotation: "This I understand to be substantially the decision in the case of *Brown v. The State of Maryland*." Furthermore, this résumé of the decision in *Brown v. Maryland* which is given as a later and more or less differing opinion of the court, is, in fact, not even a résumé made by the court, for no opinion of the court was delivered. "Each justice gave his own reasons for affirming the decisions of the State courts," and the résumé is to be found in the "reasons" of Chief-Justice Taney.

On pp. 57, 58, the unfortunate Gardner is again made responsible for the assertion that "the Supreme Court of the United States has decided that, if the forms and conditions of the revision (of a State constitution) are not regulated by the constitution of a State, the legislative authority of the same has alone the right to determine when and how a change of the constitution can be effected." Here allusion is made to the case of *Luther v. Borden*; there, however (7 Howard 40), we read: "The point, then, raised here has been already decided by the courts of Rhode Island. The question relates, altogether, to the constitution and laws of that State; and the well-settled rule in this court is, that the courts of the United States adopt and follow the decisions of the State courts in questions which concern merely the constitution and laws of the State."

So the author gropes on in a dim twilight, absolutely dependent upon

the spectacles of Duer, Pomeroy, Gardner, Walker, etc., all doing pretty well on their rightful owners' noses, but none of them exactly the thing needed for Mr. Rüttimann, who should have learned to use his own eyes before he undertook to lead others. Yet we are comparatively well off where he holds fast to the coat-tails of the above-named gentlemen, though he is often not quite clear whence they come, nor whither they are going. Whenever he has to trust his own legs, a really painful stumbling begins. On page 31 he says: "To the States which had seceded from the Union and waged war upon it, Congress granted a restoration to their former status only on condition that none of their citizens (*Angehörige*) should enjoy the active right of a citizen (*Aktiebürgerrecht*) who could not take an oath that he had never broken the allegiance due to the Union." It seems hardly asking too much that a man who writes a voluminous work on constitutional law should have read the Fourteenth Amendment to the Constitution and the Reconstruction Acts of March 3 and 23, and July 19, 1867; but to have read them and write such a sentence is simply impossible. Perhaps Mr. Rüttimann's excuse is that he only knows of a Reconstruction Act of February 20, 1867 (p. 38). To this it could be answered that Mr. Rüttimann reads altogether too little, for it even seems doubtful whether he has read the entire Constitution of the United States. He says on page 44: "For this purpose [to fill a 'gap in the existing penal law'] the conceptions (*die Begriffe*) of a high crime and a high misdemeanor have been created (*gebildet*) by the laws of July 31 and August 6, 1861." In the opening argument in the impeachment trial of Andrew Johnson, Mr. Butler (i., p. 88) said: "It is but common learning that in the English precedents the words 'high crimes and misdemeanors' are universally used." We don't know whether Mr. Rüttimann will agree with Mr. Butler on this point, but he certainly might agree with us in asserting that it *should* be rather "common learning" for a writer on the constitutional law of the United States that Article III. Sec. 4 of the Constitution reads: "The President, Vice-President, and all civil officers of the United States shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors."

We have purposely confined ourselves to the first sixty pages of the book. We could easily point out in these a dozen other blunders, some quite as great, and all of them bad enough. If a professor is not ashamed to put his name to such a fabrication, what is to be expected of the general crowd of "article writers"!

SOME NEW FRENCH BOOKS.*

THE publication of an important historical (posthumous) work from the pen of M. Villemain is the literary event of the day in Paris. From the press of Didier & Co. has just appeared a 'History of Pope Gregory VII.' on which M. Villemain bestowed the labor of nearly forty years. In 1827, the work was announced to be published by subscription, and the list was immediately filled up. At this period M. Villemain had been forced out of the Council of State by the Villèle Ministry, and the resumption of his course of lectures at the Sorbonne engaging his attention, his 'History of Gregory VII.' was not completed until 1834, when he had the manuscript recopied with the intention of immediate publication. The work, however, now appeared to him incomplete without some account of the rise and origin of the Pontifical power and policy which Gregory VII. carried to its apogee. M. Villemain therefore resumed his labor upon his book, and continued, down to the year 1845, writing a preliminary history or Introduction and retouching the chapters already completed. Although at this time two copies of the work were written out for the press, M. Villemain still retained it, making additions and corrections from time to time almost down to the period of his death (May 8, 1870). Of the four hundred and fifty pages of the first volume, more than one-half are devoted to the Introduction. Down to the beginning of the present century, the character of Hildebrand, as Gregory VII. is frequently called, was very far different from that given him by subsequent historians. In France Guizot, and in England Dr. Arnold, have vindicated his memory, while the great work of Voigt, the Protestant Professor at Halle, is at once the highest historical authority and the strongest eulogium concerning him. From a comparison of dates, M. Villemain would appear to have commenced his work before the history of Professor Voigt was announced.

* 'Histoire de Grégoire VII., précédée d'un Discours sur l'Histoire de la Papauté jusqu'au XI^e Siècle.' Par M. Villemain. 2 vols. 8vo. Paris: Librairie Académique Didier et Cie. New York: F. W. Christern.

'Les Etats-Unis de l'Amérique Septentrionale. Leurs Origines, leur Emancipation et leurs Progrès.' Par Adalbert Front de Fontpertuis. 1 vol. 8vo, 600 pp. Librairie de Guillaumin et Cie. Paris. New York: F. W. Christern.

'A Travers l'Amérique. Impressions d'un Musicien.' Henri Kowalski. Paris: E. Lécand. 1872. New York: F. W. Christern.

'Henri de France; ou, Histoire des Bourbons de la Branche Aînée, pendant quarante ans d'exil, 1830-1870.' Par M. Alfred Nettement. Nouvelle Edition. Paris, 1872. New York: F. W. Christern.

Some forty years ago, Michel Chevalier's work on the United States was the revelation of a new country to the people of France, who had almost forgotten that the greater part of our territory once belonged to them, and that, at a period when men of English race had planted a struggling colony on a strip of barren sea-coast, France explored the immense Valley of the Mississippi, held the line of the great lakes and the St. Lawrence, built a fortress at Quebec, cities at Montreal and New Orleans, and dotted Ohio, Illinois, and Michigan with military posts and agricultural colonies. The desire in France to know more of the United States very naturally increased after the failure of the Southern rebellion, in support of which the French invasion of Mexico was mainly planned, and which terminated in a peremptory order of the United States Government to Louis Napoleon to take his troops out of the country. French scholars and public men had already begun to pay some attention to our literary and our political system. Guizot wrote the life of Washington. Laboulaye, Montalembert, and Gasparin vindicated the action of the Government in suppressing the rebellion, translations were published of Marshall's Washington, of the Constitution, Baneroff's History, Story's Commentaries, etc., etc.; and we now have an original French work on the history, rise, and progress of the United States. Of its six hundred pages, more than three hundred and fifty are devoted to the Colonial period and the War of the Revolution, with what seems to us a disproportionate attention to the history and affairs of Canada. Although little more than a compilation, the work will doubtless be of service in giving to strangers some general idea of the history and progress of our country. M. Fontpertuis does not appear to have any personal acquaintance with the United States, and in many minor matters his book is full of inaccuracies. Thus we have Washington writing to his dear wife "Petsy"; we are told of the Newbury Address, in which it is difficult to recognize the Newburg Letter; and we learn that the steamboat which Robert Fulton built here in New York, and which he navigated to Albany, was propelled by machinery constructed by MM. Bolton & Watt in England.

In 1869, a French pianist, proprietor of the Polish name Kowalski, made a concert tour through the United States. We have his word for it. Personal knowledge of the fact, even from hearsay, have we none. Returned home, he experiences the necessity, *il sent le besoin*, of writing out and publishing his impressions of travel. Many of the impressions are amusing, and much of the information he imparts to his countrymen is startling. Thus:

"In every other country young men make love to young women, but in presence of the parents, who closely watch their interviews. In America there is no surveillance, the young girl makes free use of her liberty, and accepts the attentions of the young man, who from this moment is her *lover*. This is called *firter*, from *flirty*, an English word signifying to make love," etc.

Then his readers are enlightened as to the Richardson-McFarland affair. "The trial opened, and Mr. Horace Greeley, a distinguished lawyer and the editor of the *Tribune*, appeared as counsel for Mrs. Richardson." We will not shock our readers by a reproduction of the surprising psychological argument of the lawyer in question. One "Tweed," we learn, "was comptroller of the finances of the State of New York, and for many years concealed in his books a deficit of a hundred millions of dollars." At Albany our author falls a victim to an unlettered hotel-keeper, who persuades him that it is the oldest city in the United States. This, however, is not difficult to believe after the statement that vessels of fifteen hundred tons burthen ascend the Hudson River a distance of one hundred and fifty leagues. Forewarned, forearmed; so that if we wake up some fine morning and find ourselves bound hand and foot by our German fellow-citizens, Mr. Kowalski will be justified in saying, "I told you so." He warns us (p. 103) that in America "the naturalized German in no way accepts the usages of his new country. He remains what he is. They have their own places of assemblage; and first of all, the breweries, where tranquilly smoking their pipes they enunciate principles of a profound Macchiavellism. They conceal their ambition under an outside of good-fellowship (*une enveloppe débonnaire*), and, looking upon the United States as a country without owners, they hope finally to grasp the rich booty." We trust that Mr. Eugene Lawrence, who is especially charged by the Messrs. Harper with the care of our liberties, will look into this matter, and expose the nefarious plot. Finally, we take Mr. Kowalski's inspiring gallop, *Ventre-à-terre*, to be a better composition than his work, although many musical ladies were puzzled as to how its title should be translated, and naturally shrank from asking for information.

The position occupied by the Comte de Chambord lends an interest to his own individuality. It was with the hope of increasing our knowledge of the man himself that we took up 'Henri de France.' He has been so generally represented as in every way mediocre that we felt more than willing to study the other side of the question in a work written avowedly in his in-

to rest, though to be sure M. Nettement professes to be an impartial historian, with no desire but to present the exact truth to the body of French voters for whom his narrative is evidently intended. We rose from the tedious perusal of the two small volumes with the impression that the author is a political monomaniac, a man with a fixed idea, for which he is scarcely responsible. There is no reason to doubt his facts. His dates and details are unquestionably derived from good authority, perhaps from personal acquaintance with the *entourage* of the exiled prince. He gives a minute account of his education, which would have been completely under the control of two Jesuits, had not their order been so detested in France, even by the Legitimists, that it was absolutely necessary to select other tutors for him. We are assured by M. Nettement, with rather a suspicious amount of repetition, that his education was most successful, and that one of its principal results was the intense love for France preserved by the Comte de Chambord through his forty years of exile. According to our author, the Prince, who hopes to become Henry the Fifth of France, is a being almost superior to common humanity, endowed not only with all the virtues that grace an exiled prince, but pre-eminently with all those which should adorn a king of France. We are given to understand that his political ideas, though they are not specified, are the only ones which can harmonize all national liberties with the rights of the king himself, and place the government of France upon a sure, permanent, and Christian basis. His religious views are not more easily ascertained, but we presume that he does not approve of the Revocation of the Edict of Nantes. He trusts, however, that the virtues of St. Louis will cover a multitude of the sins of his descendants. After the fall of the younger branch of the Bourbons, he was ready to forgive them with royal magnanimity for having occupied a throne from which the French people had driven his grandfather, but only on the condition that they should prostrate themselves before his own divine right of reigning over them. He has the innate Bourbon belief that his race is as necessary to the French as the French are to his race, and he acts accordingly.

M. Nettement's book reaches to the year of its publication. The author shudders at the present state of his country. He sees no hope but in the blissful reign of Henry the Fifth. In the meantime, the Comte de Chambord himself, who will not even recognize the tricolored flag, is apparently waiting in philosophic calm until the French surrender at discretion, and call him unconditionally to the throne. He will then of his free grace grant them what political liberty they must have. In spite of M. Nettement's book, we do not feel much increase of respect for the last descendant of Louis XIV., nor any great belief that his reign would be less precarious than that of his relatives.

The Ocean, Atmosphere and Life: being the second series of a descriptive history of the life of the globe. By Elisée Reclus, author of 'The Earth,' etc. Illustrated with two hundred and fifty maps or figures, and twenty-seven maps printed in colors. (New York: Harper & Brothers. 1873. 8vo, pp. 534.)—Among the good popular scientific books which could be selected for translation into English, 'La Terre,' by Elisée Reclus, is one of the best. Until recently the author was probably known to but few American readers, the principal popular works on natural history of which translations have been republished in this country being the sensational and somewhat superficial works of Figuier. The author of 'La Terre' has, unlike most of his countrymen, a perfect command of English and German, he has travelled extensively, and while familiar with the original scientific works relating to Physical Geography which have appeared outside of France, he has freely consulted the great Book of Nature, and has translated the labors of his peers into familiar language in a most attractive and instructive manner. 'La Terre' is an admirable popular sketch of Physical Geography, and, like all the illustrated works of Hachette et Cie., it is beautifully executed; its typography is excellent, the woodcuts are well done—clear, precise, and to the point, while the larger maps (freely scattered through the volumes), intended to illustrate some of the more general phenomena of the earth's surface, are sufficiently well executed to do credit to many a more scientific volume.

The book issued by the Messrs. Harper under the name of 'The Ocean' is a mere reprint of an English translation of the second volume of 'La Terre,' published in 1869. The translation has evidently been made by some one totally ignorant of the rudiments of Physical Geography; the French technical terms are not reproduced by their corresponding English ones; we have a medley of English and French, showing at a glance the ignorance of the translator and the very unsuccessful use made of a French-English Dictionary. What can be said to excuse such translations as the following: "Fixation of the sands by seeds"—*fixation des sables par les semis*; "barometric measures"—*mesures barométriques*. Does the translator intend to

give us a chapter on pecks and quarts reduced to French measures? "Calm during a hurricane"—*calme sous le vent*! When we have such excellent terms as *bores* for *mascarets*, why call them tidal eddies? Why speak of the "reclamation of the earth by cultivation"? The following phrases selected at random illustrate inaccuracies to be found on every page of the reprint: "Speed of the cyclone"—*citesse de translation du cyclone*; *sur le pourtour*—"path"; *demicercle maniable*—"semicircle manageable"; *Banquise*—"Antarctic land." It becomes impossible to distinguish between ignorance of the subject-matter and insufficient acquaintance with French. There is no uniformity in the standard of measures; the metric system, used of course in the original, is sometimes changed into feet, sometimes into fathoms, or sometimes retained without a word of explanation. The scale of the woodcuts, always carefully given in the French edition, is omitted. The list of the woodcuts and plates given at the commencement of the book is, in the majority of cases, rendered inaccurate and meaningless by the bungling manner in which their explanation has been curtailed. The alterations needed in the electrotypes of the cuts and in the plates of the larger illustrations, to make them available for English readers, are not well done. As little as possible seems to have been altered, and, as might be expected from such a course, the cuts and plates present an agglomeration of French and English which is disgraceful in a popular scientific book, the value of which must depend upon its strict accuracy. The thin varnish of English laid on some of the maps is altogether too transparent; we find throughout the illustrations such excellent English idioms as "Ocean Pacific, Ocean Atlantic, Sea Baltic, Sea North, America du North, Gulf of Gasconne." When more important changes were required, the purpose of the original figure has generally been lost; thus, the figure intended to show the Mediterranean flora, and especially the large map illustrating the distribution of rain, are admirable examples of useless illustrations, and many others will prove serious puzzles to the enquiring mind. We are told that the large maps were printed in England and two of them incorrectly numbered. Nothing would have been easier, we should suppose, for an establishment having the facilities which the Messrs. Harper possess, than to rectify these blunders and to have placed the maps as they are to be found in the original. This was not done, although we are informed that the error had been rectified. It certainly is fortunate for the credit of this country that the maps were printed in England; they have lost immensely by the many transfers and changes they have undergone, and cannot be compared with the French impressions. There are mistakes regarding this country which we may pardon in a foreigner, but there is no excuse for repeating such blunders when issued in a translation on this side of the Atlantic. To foist upon the intelligent American a map of Florida (Fig. 22), full of such nonsense as "Bank of Caye de Sel" ("Salt Key"), is presuming too largely on his ignorance. Nothing better could be expected of a translator who knew so little of American scientific men as not to correct Reclus in alluding to the late Professor A. D. Bache of the Coast Survey as "Franklin Bache," because he was a descendant of Franklin. The original was published in 1869, before the great explorations of the deep-sea bottom undertaken by the Swedes, Americans, and English; but might we not reasonably expect in 1873 to have this most important chapter brought down to the present time, and to find something more satisfactory than the closing lines on that subject added by the translator?

If American publishers wish to obtain the assistance of scientific men in introducing popular scientific works to the public, let them meet the growing demand by furnishing a good article; let them entrust the choice, the editing or translating, to persons who are conversant with the subjects, and not bring science into disrepute by making of an excellent book a miserable caricature, totally unfitted for its purpose.

Memoirs of a Maryland Volunteer. War with Mexico in the Years 1846-7-8. By John R. Keely. (Philadelphia: J. B. Lippincott & Co. 1873.)—At the outbreak of our war with Mexico, fifty thousand volunteers were called for by President Polk. In response to this call our author raised at Baltimore a company of infantry, in command of which he landed at Brazos St. Iago early in July, 1846. The book has but slight military value. An infantry captain, fresh from civil life, forced to wrestle with the harassing complications of drill and guard mounting, and whose mind is torn with distracting doubts as to the proper form of muster-rolls, can hardly be expected to be capable of imparting much valuable strategic information. One well-established fact, though, in the history of volunteer armies he appears to have reached at an early period of his experience. It is that "without pay, a soldier is one of the most disagreeable beings on earth, and without pay soldiers are not easily commanded." At the storming of Monterey, his command was repulsed with severe loss. In connection with this fact, he relates a characteristic incident concerning General Twiggs,

which is in entire harmony with all the army traditions concerning him. Twiggs should have been in the attack of the 21st of September as commander of the first division, but was absent, Col. Garland, next in rank, commanding in his place. Major Kenly relates:

"I saw General Twiggs when he came upon the field, riding from the direction of the camp, but well out of the range of the guns of the citadel. This was, I think, about noon; it might have been a little earlier, but it was after the repulse of our first assault. I was so struck with his coming almost alone, and in such very unmilitary garb, that he noticed me, and, approaching, said, 'I expected a battle to-day, but didn't think it would come off so soon, and took a dose of medicine last night, as I always do before a battle, so as to loosen my bowels; for a bullet striking the belly when the bowels were loose might pass through the intestines without cutting them.' I was very much interested at hearing all this from so old a soldier, but still it didn't satisfy me; and I wasn't astonished when I heard subsequently that General Taylor had quietly ignored his being present, and suffered the command of his division to remain with Garland."

In the matter of fighting, our author does not appear to have been fortunate, for although serving on both the lines of operations—Rio Grande and City of Mexico—he does not appear to have 'assisted,' as the French have it, at any of the important battles, after Monterey, which decided the issue of the campaign. Buena Vista was fought after his command was marched to Tampico. He left Vera Cruz for the interior, with the rank of major, but was stationed with his command at the National Bridge and Jalapa during the active operations of General Scott's army before the city of Mexico. Although the work gives us descriptions of the battles of Cerro Gordo, Contreras, Churubusco, Molino del Rey, and Chapultepec, they are not from the author's personal observation. With the aid of copies of official documents and general orders, a connected relation of the events of the campaign is presented, which, aided by the writer's sketches of what he saw, makes a work of fair interest for the general reader.

Healthy Houses. A Handbook of Drainage, Ventilation, Warming, and kindred subjects. By William Eassie, C.E. (New York: D. Appleton & Co.)—Mr. Eassie, though an Englishman, and writing for his countrymen more particularly, has kept an eye to American improvements in building and domestic conveniences, and seldom closes a survey of any one of his topics without some allusion to what has been accomplished in the United States. We mention this, not because it adds so very much to the value of his book, but because it may reconcile the American purchaser to him, it being not unnatural to suppose that even if English hygiene is the same as American hygiene, the practical contrivances which the author describes with so great fulness are rather adapted to the conditions of English than of American living, besides being difficult to procure over here. This is of course true to a certain extent; for example, the chapter on chimneys has a much greater importance for our British cousins than it has for us with our bright skies and prevailing dry west wind. Possibly we may also think we have little to learn from them in the matter of stoves. But in the case of drainage, ventilation, water-supply, fireproofing—in any case, indeed—the description of a great number of different inventions to effect the same object necessarily involves the principles on which the discussion must turn in this country as well as abroad. With this explanation, and with the further remark that Mr. Eassie exhibits a wide practical experience of all the branches of his subject, and employs copious diagrams to illustrate it at every step, we can recommend his manual to heads of families, to architects and builders particularly, and, last of all, to the inventors.

Before yielding the floor, however, we will call attention to a work of similar purport, but written in French, 'La Maison,' by Prof. J. B. Fonssagrives, a prolific and elegant writer on hygiene, two of whose works (the 'Mother's Register' and 'The Mother's Work with Sick Children') are already accessible in an English dress. There is a general similarity in the topics treated by this author and by Mr. Eassie, but a great difference in the mode of treatment, Prof. Fonssagrives indulging in historical retrospects which, combining ripe scholarship with the natural graces of the French style, make 'La Maison' pleasant reading as well as profitable. The chapter on light—"Le Soleil et la Lampe"—has no parallel in the English work just noticed, and it marks the distinguishing point of view of the physician as opposed to the civil engineer and contractor. Beginning with the motto, "Where the sun does not enter, the doctor will," Prof. Fonssagrives insists upon the importance of choosing carefully the site for a house with reference to the points of the compass, and deciding how many windows there shall be, how large, and how disposed. He tells how to determine whether the *carre d'éclairage* (total lighting surface of a room or of a house) is sufficient for health, suggesting the use of sensitized photographic paper for this purpose. Next he passes to the quality of the glass fit for use in ordinary and in exceptional conditions, considering also its effect upon the sight; then to the use and abuse of shades and curtains, the choice of wall-papers, and

so on to the subject of artificial light, of which the French would seem to have neither an abundance nor the best of the cheaper kinds.

Whether this book would bear reproduction as it stands we can hardly say. We can recommend it to architects and builders, and to persons acquainted with French, and not averse to mingling the *utile* and the *dulce* in their reading. The following extract, on the moral aspect of the open fire-place, is a good instance of our author's manner:

"Moreover, this is one of those questions which do not wholly belong in the physical category, since they involve a sentiment. The open fire-place has become, not without reason, the symbol of domestic intimacy, the centre of family gossip, the witness of all the joys and sorrows of private life. For my part, I could never, when passing before a house either in ruins or while building (and Paris has given us in the last twenty years ample occasion for meditations of this sort), behold without emotion the long black riband traced of yore upon a wall by the smoke of a fire-place. Sometimes one sees only a bit of casing, and near it a few dangling strips of carpet. It is nothing, and yet everything. Argos was once there. There have people been born and loved one another, and witnessed the birth and death of some one of their circle, and suffered, and played with children, and chatted, and read. All this makes the fire-place sacred. It must not be disturbed. . . . Though one be warm already, he still seeks the fire-place. We say domestic hearth (*foyer domestique*) to express the house (*maison*), the home, the 'chez-soi,' the lesser and dear fatherland; we shall never say the 'domestic heater' (*calorifere domestique*) to express the same thing. It is invincible as a tradition and as a sentiment."

Hinsides Atlanterhavet. I. (New York: F. W. Christern.)—Mr. Robert Watt, editor of the *Day's News*, a lively daily paper published in Copenhagen, is the author of this book of American travels, written in the Danish language, whose title signifies "Beyond the Atlantic." Mr. Watt is a spirited and fluent writer. He takes the reader with him across the ocean and lands him in Quebec; thence by Montreal to Niagara Falls, describing life on board the steamship, and sketching the interesting scenery of the St. Lawrence, with episodes from the early French wars, and some account of the manners and habits of the French inhabitants. Next follows a graphic description of Chicago, and especially of the great public works of that vigorous young city—the stock yards, the lake tunnel, the parks, and the successful turning of the current of the Chicago River backwards into the Illinois River. Mr. Watt was for a whole week an eye-witness of the great fire, whose scenes of horror, suffering, and death he paints in lively colors, not forgetting to applaud the astounding energies which it aroused. He next visited the Scandinavian settlements in Wisconsin and Minnesota, and gives useful and accurate information of the present condition and future prospects of the immigrants, with sketches of the trials and dangers incurred by many of them in the war with the Dakotas in 1862, when whole families of these hardy pioneers were butchered by the savages.

Although it is evident the author has been painstaking in the collection of his facts, yet this part of his book is open to the criticism that its description of early settlements in the West is much too rose-colored. He passes over the years of necessary trials and privation, and the climatic diseases which the new-comers rarely escape; nor does he allude to the severe winters in which, especially in Minnesota, as was sadly exemplified during the bitter season just past, many of the immigrants succumb. In speaking of fortunes acquired by individuals his figures are always in the millions, and he hardly alludes to the best citizens of the Republic—the tens of thousands who, by dint of industry and temperate living, rise from humble origins into easy circumstances and moderate wealth. It would also have been quite in place had Mr. Watt devoted a chapter to the honor in which work and workmen are held in America, in contrast with the false notions of respectability which prevail in monarchical countries. In his closing chapter, however, on the men and women of America, the author reveals his appreciation of the best traits in the American character, showing that he has not in this respect permitted himself to be affected by stale European prejudices. We hope that in his second volume, which we shall be glad to read when published, he may be more careful to avoid the appearance of writing in the interest of certain steamship and railway companies, rather than in that of his countrymen alone. Even the appearance of evil is to be avoided.

BOOKS OF THE WEEK.

Authors.—Titles.	Publishers.—Prices
High Life in New York.....	(T. B. Peterson & Bros.) \$1 75
Homer (Margaret), Lilly's Hard Words.....	(Claxton, Remsen & Haffelfinger)
Hughes (T.), Memoir of a Brother.....	(J. R. Osgood & Co.) 1 50
Lester (J. E.), The Yo Semite, swd.....	(D. Appleton & Co.) 0 50
Mayo (Dr. W. S.), The Berber.....	(G. P. Putnam's Sons) 1 75
McKeever (Harriet B.), Twice Crowned.....	(Claxton, Remsen & Haffelfinger)
Messler (Rev. A.), Forty Years at Raritan.....	(A. Lloyd)
Miller (R. K.), Romance of Astronomy.....	(Macmillan & Co.) 1 25
Murphy (J. J.), Scientific Bases of Faith.....	5 00
Nauman (Mary D.), Clyde Wardleigh's Promise.....	(Claxton, Remsen & Haffelfinger)
Payne (S. W.), Behind the Bars.....	(Vincent & Co.)
Phelps (Mrs. A. L.), Reviews and Essays on Art, Literature, and Science.....	(Claxton, Remsen & Haffelfinger)

THE FORTNIGHTLY REVIEW.

EDITED BY JOHN MORLEY.

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CONTENTS OF THE MARCH NUMBER.

Are we Christians? By Leslie Stephen.—Servia and Its New Prince. By Humphrey Sandwith.—The Organization of a Legal Department of Government. By James Bryce.—On the Historical Element in Shakespeare's Falstaff. By James Gairdner.—On the Causes which Operate to Create Scientific Men. By Francis Galton.—The Game Laws and the Committee of 1872. By A. H. Beesly.—Rameau's Nephew. From the French of Diderot.—Critical Notices: 'L'Averet et l'Imposteur.' By J. S. Mill.—'Biographical and Critical Essays,' 'Notes of Thought,' 'Jest and Earnest,' 'Memoir of a Brother,' 'Our New Masters,' 'Mountaineering in the Sierra Nevada,' 'Caliban.' By Edith Simcot.

Owing to the misunderstanding incident to the beginning of such an enterprise, the numbers have not appeared as promptly as there is every reason to hope subsequent ones will.

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THE WEEK IN TRADE AND FINANCE.

APRIL 7, 1873.

THE week in Wall Street has witnessed the severest "pinch" in money that has yet occurred since the present stringency commenced. On Monday $\frac{3}{4}$ of 1 per cent. a day was freely paid, and we have heard that loans were made as high as 1 per cent. over-night.

The range of rates has been from $\frac{1}{16}$ and interest to 1 per cent. per diem. Notwithstanding the many calls made upon the Secretary of the Treasury to draw upon his "44 millions legal tender reserve," he has so far wisely abstained from availing himself of this doubtful method of making things lively for Wall Street, and has kept on in the even tenor of his way; possibly Mr. Richardson has learned something from his predecessor, and has made up his mind to keep out of Wall-Street affairs. Although hard upon speculators, they can afford to stand the present high rates, but the merchants are seriously inconvenienced by them, interfering as they do with the sale of commercial paper, which, during the past week, has been almost unsalable.

The bank statement indicates that legal tenders have been locked up by the clique engaged in the manipulation of the stock market; and although there have been daily reports of the arrival of currency in this city from the interior, the clique has been strong enough to absorb and lock it up with about four millions additional. The extortionate demands of the money-lenders have caused a bitter feeling among merchants and others, who are generally borrowers, and some of the daily papers have been loud in their demands upon the District Attorney for the enforcement of the usury laws, and for the trial and indictment of the offenders. Should this be done, and one-half or even one-fourth of the parties tried who have loaned money at usurious rates of interest, the courts would have nothing else to do but to try these cases for the next twelve months; and should the parties be convicted and punished to the full extent of the law, as the papers in question demand, there would be but few moneyed men left in Wall Street to transact business. The repeal of the usury laws has so far been defeated at Albany, and we hope that those in favor of their continuance are satisfied that matters would be worse if they were repealed.

The bank statement for the week is very unfavorable, showing a loss of \$1,304,000 in the total reserve, and a decrease in the total liabilities of only \$5,741,600.

The banks are below their legal reserve \$3,245,800, the lowest point yet reached.

The following is a comparison of the averages for the past two weeks:

	March 29.	April 5.	Differences.
Loans.....	\$274,348,700	\$273,534,000	Dec. \$814,700
Specie.....	16,179,100	15,664,400	Dec. 514,700
Circulation.....	27,635,700	27,715,800	Inc. 80,100
Deposits.....	193,508,700	187,687,000	Dec. 5,821,700
Legal tenders.....	38,129,800	34,940,500	Dec. 3,189,300

The following shows the relation between the total reserve and the total liabilities:

	March 29.	April 5.	Differences.
Specie.....	\$16,179,100	\$15,664,400	Dec. \$514,700
Legal tenders.....	38,129,800	34,940,500	Dec. 3,189,300
Total reserve.....	\$54,908,900	\$50,604,900	Dec. \$4,304,000
Circulation.....	27,635,700	27,715,800	Inc. 80,100
Deposits.....	193,508,700	187,687,000	Dec. 5,821,700
Total liabilities.....	\$291,144,400	\$215,402,800	Dec. \$75,741,600
25 per cent. reserve.....	55,286,100	53,850,700	
Deficiency in legal reserve.....	377,200	3,245,800	Inc. 2,868,600

The following statement separates the National from the State banks:

	National.	State.	Total.
Loans.....	\$236,004,500	\$37,529,500	\$273,534,000
Specie.....	14,165,400	1,499,000	15,664,400
Legal Tenders.....	30,915,900	4,024,600	34,940,500
Net Deposits.....	161,488,800	26,198,200	187,687,000
Circulation.....	27,672,800	43,000	27,715,800

Considering the condition of the money market, stocks have kept up remarkably well, but it has generally been the case that, when money has been made artificially tight, prices have been supported by the large holders, who prefer paying the going rates for money to selling their stocks. In the present disturbance the "bulls" have been encouraged to hold on by the constant hope that the Secretary of the Treasury might come to their relief by drawing upon his so-called "legal-tender reserve." This hope, so far, however, has proved delusive, and they were left to paddle their own canoe as best they might. The greatest effect produced upon the prices of stock, by the stringency in the money market was on Monday, the first day of the

squeeze; and by a reference to the daily range of prices published below, it will be seen that the market declined but little, if any, below the lowest quotation of that day on the very active speculative stocks, against which the demonstration was directed, while the price of investment stocks seems to have been quite as much affected as those of the "fancies." There has not been anything like a panic in the market, and the decline that has taken place has been made by a gradual falling off in prices.

At the meeting of the directors of the Central and Hudson and the Harlem Railroads on Tuesday, an agreement was made whereby the latter is leased to the former on the following terms: The Central leases the Grand Central Depot and all the track and real estate of the Harlem from Forty-second Street in this city to Chatham Four Corners, for the term of 401 years. The Central agrees to pay 8 per cent. annual dividends upon the Harlem stock and interest on its bonds. The Harlem retains possession of the Fourth Avenue line of horse-cars, and all its real estate below Forty-second Street.

The following shows the highest and lowest sales of the leading stocks at the Stock Exchange, for the week ending April 5, 1873:

	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.	Sales Sh's
N. Y. C. & H. R.	100 101 1/2	100 101 1/2	100 101 1/2	99 1/2 100 1/2	101 101 1/2	101 1/2 102	151,700
Lake Shore.....	91 1/2 93 1/2	91 1/2 93 1/2	91 1/2 93 1/2	91 1/2 93 1/2	91 1/2 93 1/2	91 1/2 93 1/2	136,800
Erie.....	61 65 1/2	61 65 1/2	61 65 1/2	61 65 1/2	61 65 1/2	61 65 1/2	71,400
Do. pfd.....	74 74 1/2	74 74 1/2	74 74 1/2	74 74 1/2	74 74 1/2	74 74 1/2	40,600
Union Pacific.....	38 34 1/2	38 34 1/2	38 34 1/2	38 34 1/2	38 34 1/2	38 34 1/2	900
Chl. & N. W.....	80 78 1/2	80 78 1/2	80 78 1/2	80 78 1/2	80 78 1/2	80 78 1/2	1,200
Do. pfd.....	88 86 1/2	88 86 1/2	88 86 1/2	88 86 1/2	88 86 1/2	88 86 1/2	200
N. J. Central.....	103 102 1/2	103 102 1/2	103 102 1/2	103 102 1/2	103 102 1/2	103 102 1/2	42,500
Rock Island.....	113 115 1/2	113 115 1/2	113 115 1/2	113 115 1/2	113 115 1/2	113 115 1/2	59,900
Mil. & St. Paul.....	57 59 1/2	57 59 1/2	57 59 1/2	57 59 1/2	57 59 1/2	57 59 1/2	800
Do. pfd.....	74 74 1/2	74 74 1/2	74 74 1/2	74 74 1/2	74 74 1/2	74 74 1/2	10,200
Wabash.....	71 72 1/2	71 72 1/2	71 72 1/2	71 72 1/2	71 72 1/2	71 72 1/2	13,300
D. L. & Western.....	100 100 1/2	100 100 1/2	100 100 1/2	100 100 1/2	100 100 1/2	100 100 1/2	29,400
B. H. & Erie.....	44 45 1/2	44 45 1/2	44 45 1/2	44 45 1/2	44 45 1/2	44 45 1/2	60,300
O. & M.....	36 39 1/2	36 39 1/2	36 39 1/2	36 39 1/2	36 39 1/2	36 39 1/2	34,300
C. C. & I. C.....	86 84 1/2	86 84 1/2	86 84 1/2	86 84 1/2	86 84 1/2	86 84 1/2	215,300
W. U. Tel.....	52 56 1/2	52 56 1/2	52 56 1/2	52 56 1/2	52 56 1/2	52 56 1/2	234,700
Pacific Mail.....	52 56 1/2	52 56 1/2	52 56 1/2	52 56 1/2	52 56 1/2	52 56 1/2	

During the height of the monetary pressure, the price of Government bonds yielded, and on Wednesday quite a break occurred in the market, caused by sales of bonds made, it is said, for the purpose of raising money. The decline on Wednesday was equal to $1\frac{1}{8}$ per cent. on the 5-20's of 1867—the leading bonds dealt in at the Stock Exchange. This decline lasted but for a short time, being followed by a reaction the next day, and, after going through a wide range of fluctuations, the market finally closed on Saturday at higher prices than the closing ones of last week, the improved condition of the market being due to the higher price of gold.

The following shows the course of the market, the closing quotations being given for Saturday, April 5:

	Saturday, March 29.	Wednesday, April 3.	Saturday, April 5.
6s 1881 Coupons.....	120 1/2	118 1/2	120 1/2
6s 1864 5-20.....	117 1/2	115 1/2	117 1/2
1865 ".....	118 1/2	117	119
1867 ".....	118 1/2	116 1/2	118 1/2
1869 ".....	117 1/2	115 1/2	117 1/2
5s 10-40 Coupons.....	112 1/2	111 1/2	112 1/2

The Treasury purchased no bonds during the week.

The market for State and railroad bonds has been dull and neglected, as might naturally have been expected; beyond some few sales of Tennessees at 80 and 80 $\frac{1}{4}$, and Virginia consolidated 6's at 52, scarcely anything was done in the former. In railroad bonds, prices have been well maintained in spite of the "furry" in money, the principal effect being more to prevent transactions than to depress prices.

The Treasury received on Thursday bids for gold amounting to \$5,540,000, at 117 to 117 $\frac{5}{8}$. \$1,500,000, the amount advertised to be sold, was awarded at 117 $\frac{28}{32}$ to 117 $\frac{5}{8}$ to ten firms. If Mr. Richardson's idea was that his programme for April would put down the price of gold, we think that he must be greatly disappointed by its effect upon the market. The first movement of the "bulls" on Monday was to run the price up to 118 $\frac{3}{8}$ from 116 $\frac{1}{4}$, the price in the morning. Considerable realizing sales were made at the advanced price, on which the market fell off to 116 $\frac{1}{2}$, only to start up again later in the week, until at the close on Saturday the quotation was 119 $\frac{1}{8}$. The general opinion prevails in Wall Street that the movement is not by any means over, and that, before summer is passed, the price will have seen 125, if not 130. It is, however, perfectly natural that people loaded up with an article they would like to sell at a higher figure should set afloat the most extravagant predictions as to the future price.

The imports for the week were \$7,576,073, against \$13,826,000 for the week previous. The specie shipments for the week amount to \$1,246,187, consisting principally of silver bars. The total amount shipped since January 1, 1873, is \$14,593,505, against \$6,101,098 for the same period in 1872, \$14,978,470 in 1871, \$6,679,819 in 1870, \$9,678,966 in 1869, and \$17,117,326 in 1868.

